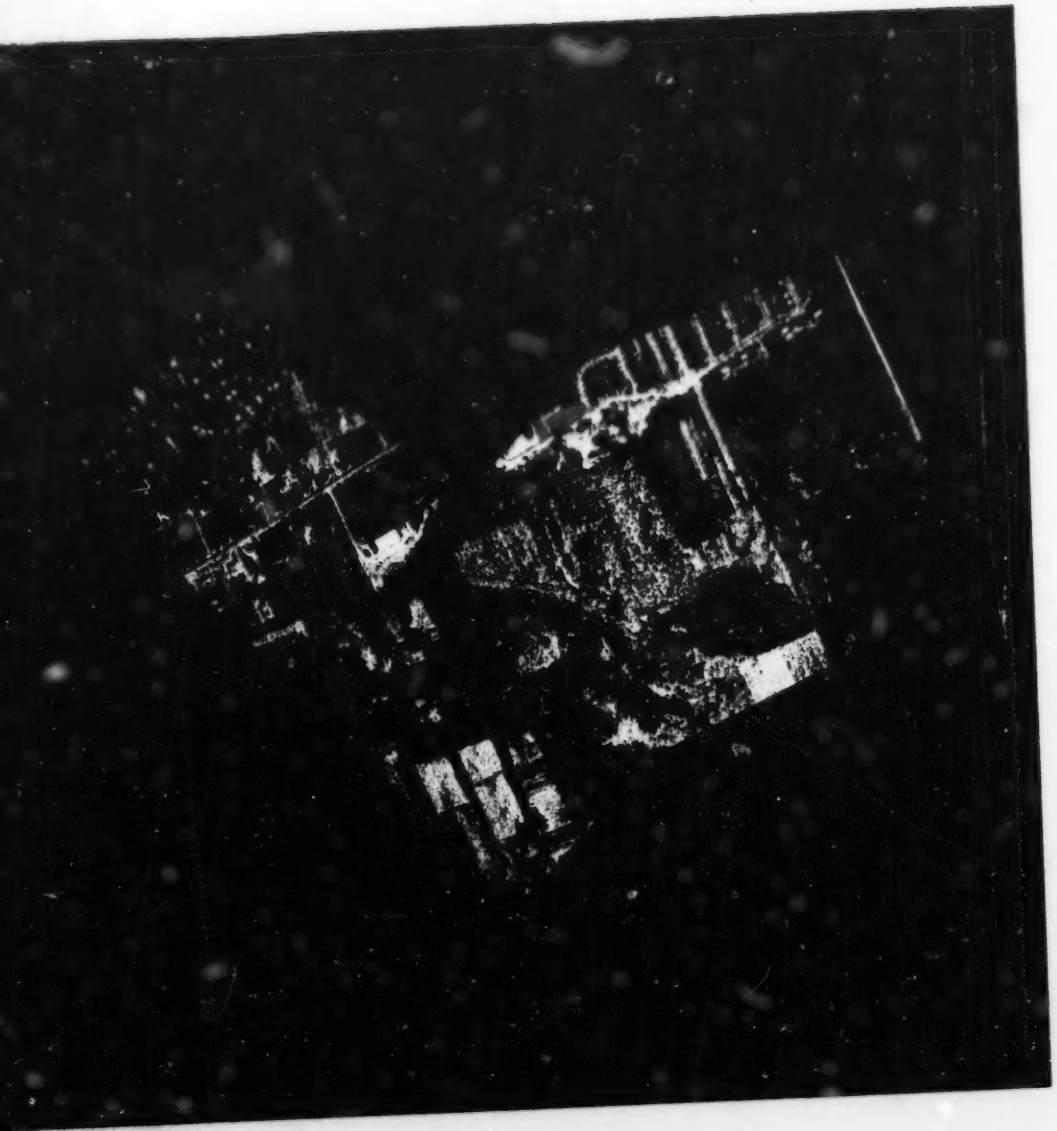

Subdivision/ Condominium Procedures

A Guide for Applicants

CUM·PROGRESSU·EUNTES

Regional Municipality of Ottawa-Carleton

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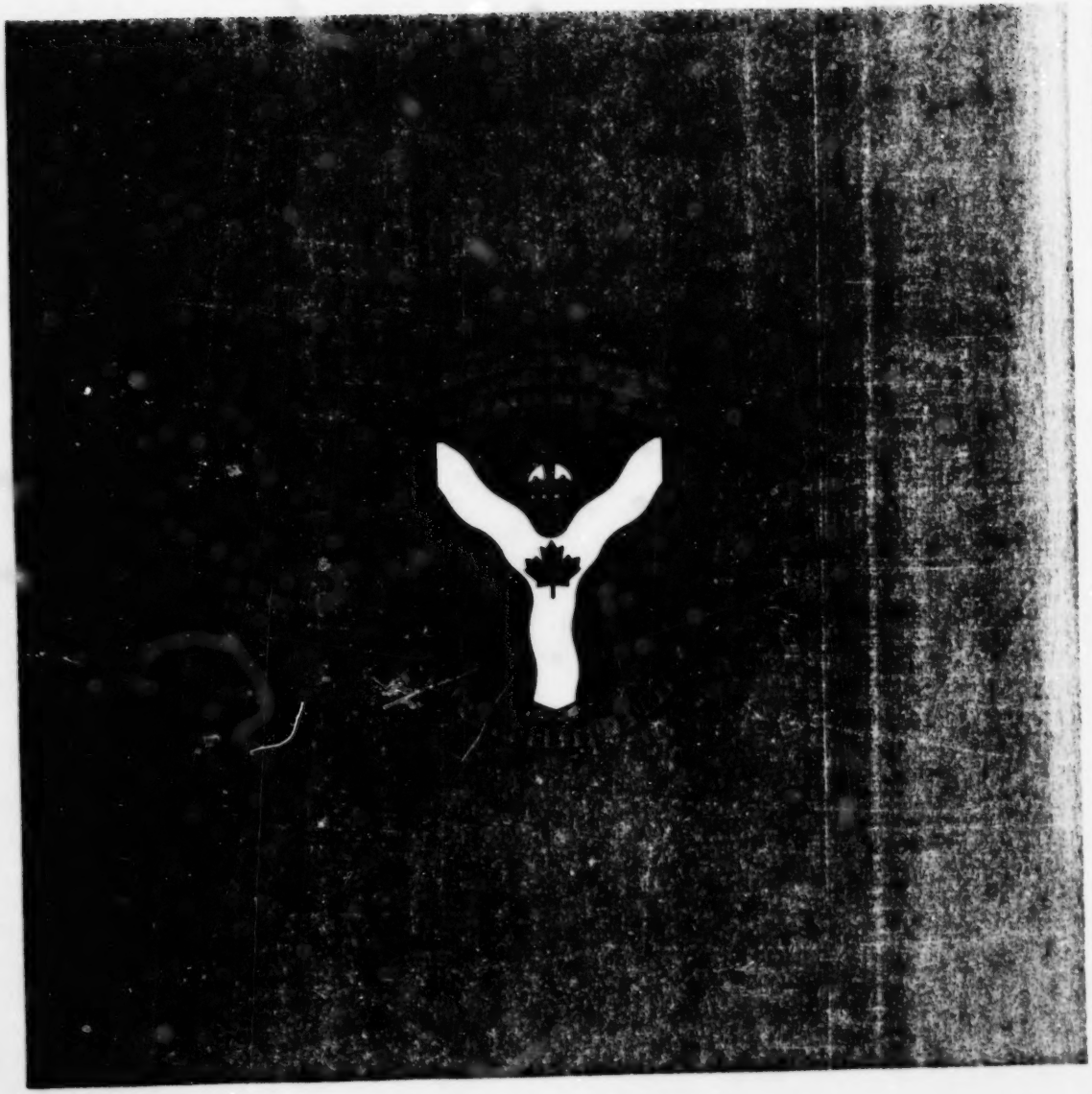

Subdivision/ Condominium Procedures

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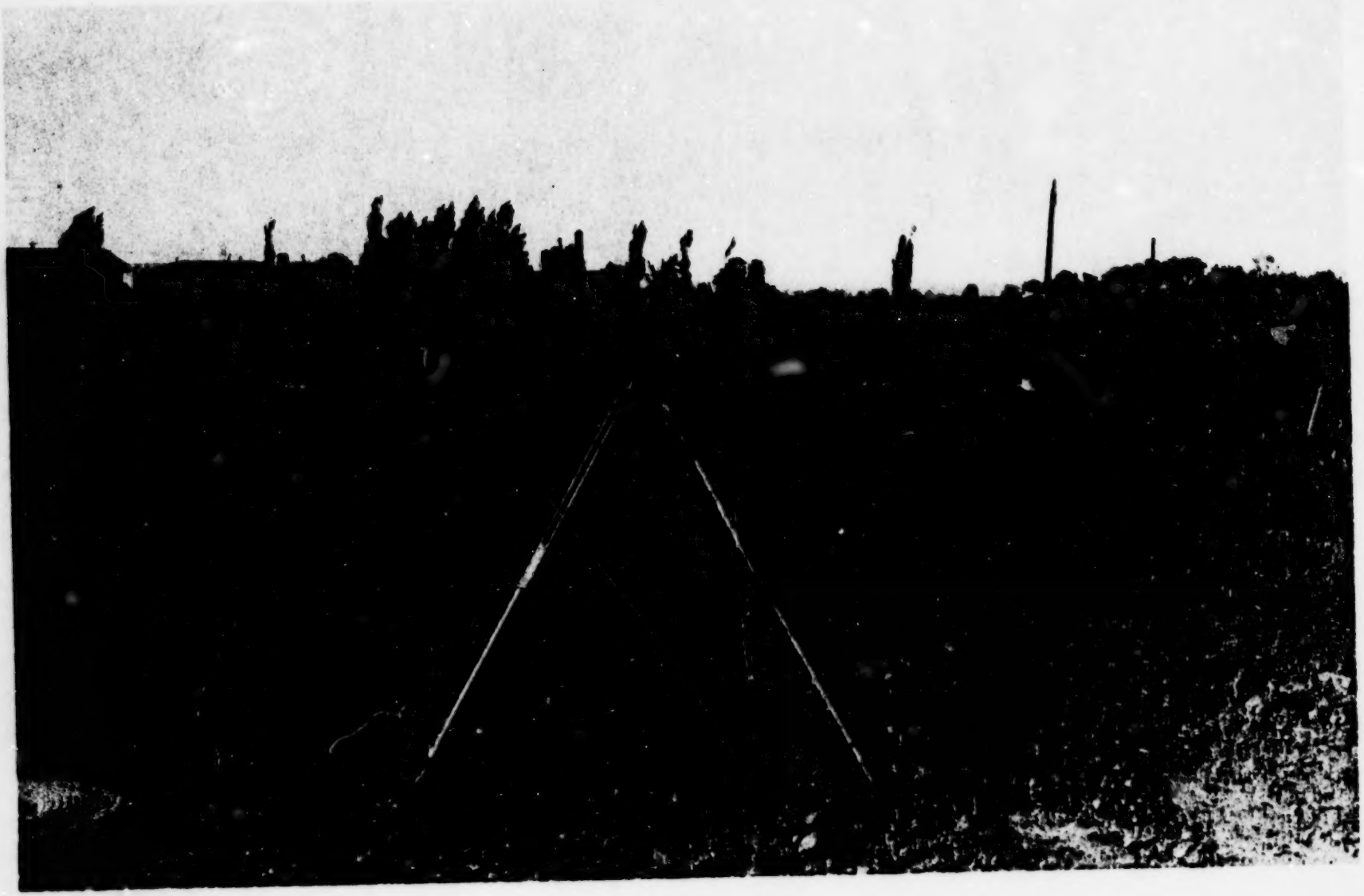


Introduction

This publication is designed for those who work together in the planning and development of subdivisions. It is based on **The Planning Act,** Province of Ontario and covers the normal procedures for preparing plans of subdivision and submitting them for approval.

The procedures for subdividing land were relatively simple in the late 1800's and early 1900's when our society was predominantly agricultural. The chief purpose then was to facilitate the transfer of ownership and avoid confusion in the registering of deeds by adequate surveying and recording.

By creating a demand for substantial concentrations of new development at one time — instead of just a few lots — the population expansion of post-war years altered previous patterns of subdividing. With many larger plans being registered, the scope of the subdivision process had to be broadened to embrace such paramount concerns as neighbourhood design, public health, welfare and safety and the ability of municipalities to provide a range of public services to meet the needs of people today.

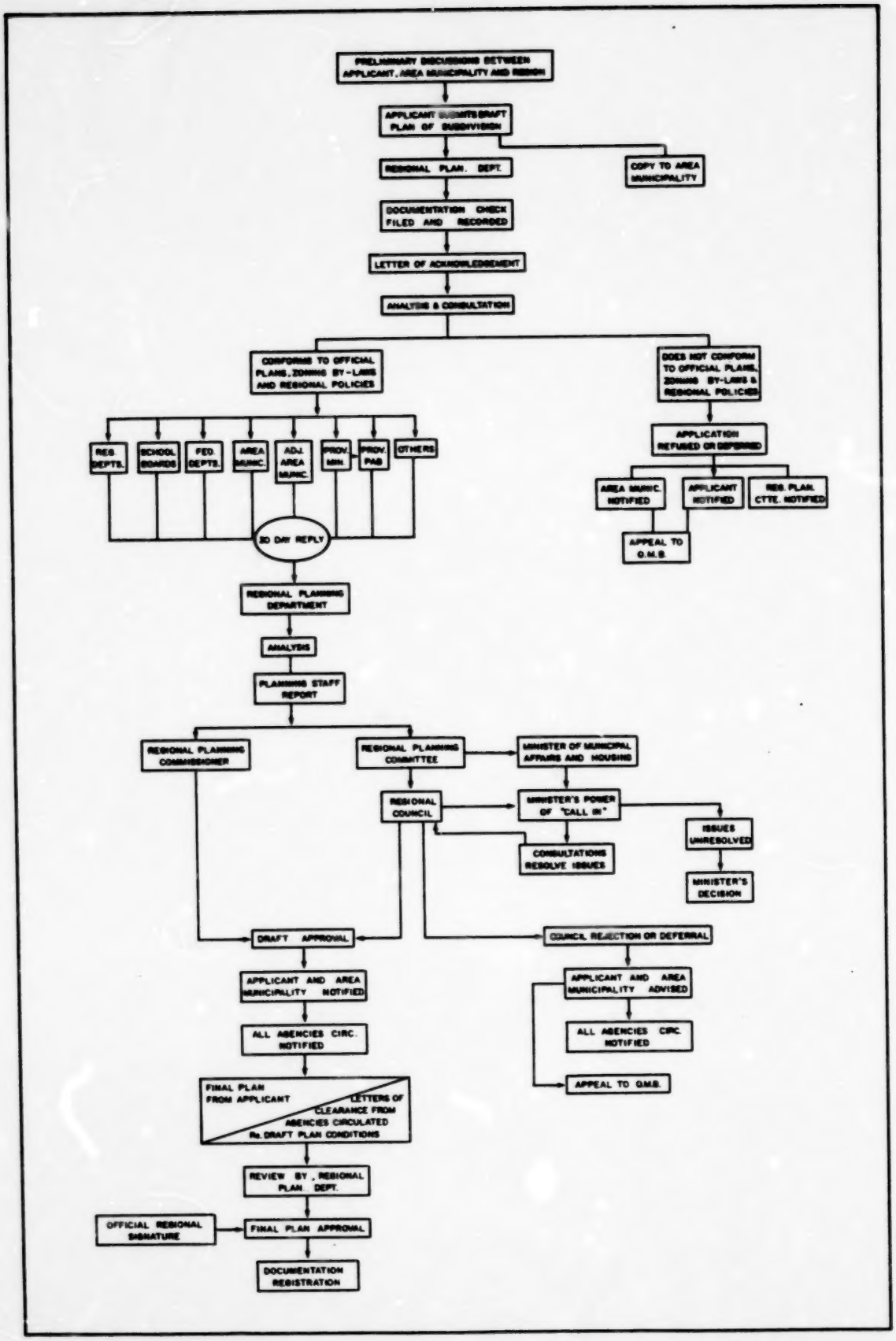
The subdivision procedures outlined in this publication reflect these concerns. The recurring theme is cooperation among developer, local, regional and provincial governments as partners in the development of our communities. Together they share a responsibility to establish and provide necessary subdivision standards that help in creating neighbourhoods that are not only well conceived but economical for the community to maintain.

Summary of Subdivision Procedures

N.B. — The Province of Ontario has delegated subdivision and condominium approval powers to the Council of the Regional Municipality of Ottawa-Carleton. The Regional Planning Department is the agency that processes and recommends approval of draft plans of subdivision to either the Regional Planning Commissioner or Regional Council, as outlined in this booklet. Application forms for both Subdivision and Condominium projects are available from the Regional Planning Department.

PRE-APPLICATION

Feasibility study by subdivider — economic justification — plan location — timing and land use. Following above study, subdivider discusses broad outline of plan with local council and, if necessary, the staff of the Plans Administration Division, Regional Planning Department, Regional Municipality of Ottawa-Carleton.


PRELIMINARY DISCUSSIONS BETWEEN APPLICANT, AREA MUNICIPALITY AND REGION
APPLICANT SUBMITS DRAFT PLAN OF SUBDIVISION
REGIONAL PLAN. DEPT.
COPY TO AREA MUNICIPALITY
DOCUMENTATION CHECK FILED AND RECORDED
LETTER OF ACKNOWLEDGEMENT
ANALYSIS & CONSULTATION
CONFORMS TO OFFICIAL PLANS, ZONING BY-LAWS AND REGIONAL POLICIES
DOES NOT CONFORM TO OFFICIAL PLANS, ZONING BY-LAWS & REGIONAL POLICIES
REG. DEPTS.
SCHOOL BOARDS
FED. DEPTS.
AREA MUNIC.
ADJ. AREA MUNIC.
PROV. MIN.
PROV. P&B
OTHERS
APPLICATION REFUSED OR DEFERRED
AREA MUNIC. NOTIFIED
APPLICANT NOTIFIED
REG. PLAN. CTTE. NOTIFIED
30 DAY REPLY
APPEAL TO O.M.B.
REGIONAL PLANNING DEPARTMENT
ANALYSIS
PLANNING STAFF REPORT
REGIONAL PLANNING COMMISSIONER
REGIONAL PLANNING COMMITTEE
MINISTER OF MUNICIPAL AFFAIRS AND HOUSING
REGIONAL COUNCIL
MINISTER'S POWER OF "CALL IN"
ISSUES UNRESOLVED
CONSULTATIONS RESOLVE ISSUES
MINISTER'S DECISION
DRAFT APPROVAL
COUNCIL REJECTION OR DEFERRAL
APPLICANT AND AREA MUNICIPALITY NOTIFIED
APPLICANT AND AREA MUNICIPALITY ADVISED
ALL AGENCIES CIRC. NOTIFIED
ALL AGENCIES CIRC. NOTIFIED
FINAL PLAN FROM APPLICANT
LETTERS OF CLEARANCE FROM AGENCIES CIRCULATED Re. DRAFT PLAN CONDITIONS
APPEAL TO O.M.B.
REVIEW BY, REGIONAL PLAN. DEPT.
OFFICIAL REGIONAL SIGNATURE
FINAL PLAN APPROVAL
DOCUMENTATION REGISTRATION

DRAFT PLAN
Subdivider submits 40 paper prints of the draft plan with a boundary survey and information required by Section 50(2) of The Planning Act and The Condominium Act to the Plans Administration Division, Regional Planning Department, together with a duplicate, clear chronoflex original and a 8½" x 14" (22 x 35 cm.), clear chronoflex reduction of the original plan.

EVALUATION OF THE DRAFT PLAN
Preliminary plan review, decision to circulate. Plans Administration Division sends draft plan to local council, school boards, Ministry of Municipal Affairs and Housing, Ministry of the Environment, Ministry of Transportation and Communications and other provincial and federal departments and agencies for comment. Agencies are requested to reply within 30 days. Replies are evaluated and problems, if any, are hopefully resolved through discussions with all parties involved.

DRAFT APPROVAL
After an evaluation of the plan and of the comments and recommendations received from all agencies and departments circulated, and in particular those from the local municipality involved, the subdivision/ condominium approval process can follow one of two routes:

(i) **Draft Approval by Regional Planning Commissioner**
Regional Council has delegated to the Regional Planning Commissioner the authority to draft approve those subdivision plan applications where the Regional Planning Department's recommendations and proposed conditions are supported by the local municipality, the applicant and all departments and agencies having an interest in the application.

(ii) **Draft Approval by Regional Council**
In the event the Regional Planning Department's recommendations and proposed conditions do not satisfy the parties involved, including the applicant, the local municipality or any department or agency with an interest in the application, the application will then be dealt with by the Regional Planning Committee. This Committee, in considering the plan, will hear representations and may recommend to Regional Council draft approval subject to conditions.

After draft approval of the plan, the subdivider may — rough grade roads — authorize survey and monumenting of plan — arrange and carry out those conditions which can be completed — make a written agreement with the municipality to complete all other conditions — have final plan prepared.
We do not recommend that any of this work be carried out prior to draft approval in the event that the design, scale, etc., may be altered.

FINAL PLAN
Subdivider submits final plan for approval. Subdivider arranges for clearance letters to be mailed from area municipality and other agencies to Plans Administration Division informing that conditions of approval are fulfilled.

Plans Administration Division arranges for approval of the final plan and forwarding of it to the Land Titles Office for Ottawa-Carleton for Registration purposes.

Pre Application

There are certain details an owner should be aware of before making application to the Region for approval of a plan of subdivision. They will help him to decide whether he should proceed with a subdivision application. He should know:

1. the physical and economic conditions that will have an affect on the proposed plan of subdivision;
2. that the proposed plan conforms with the general intent and purpose of the Regional Official Plan and the local Official Plan which
   is either being prepared,
   is in force, or
   is being amended or revised;
3. that the subdivision plan does not conflict with local by-laws, especially zoning by-laws; if there is a conflict, that he is confident the required amendment will be approved;
4. that necessary municipal sanitary sewers, storm sewers and water mains can be extended to the property or that the soil and drainage systems are capable of supporting more localized water and sewer systems;
5. that such community services as water pollution control plants, filtration and pumping equipment, sewer and water mains, schools, parks and recreation programs, road systems, etc., can meet the needs of the plan or can be enlarged or extended to do so;
6. that the proposed road pattern and land uses are satisfactory.

This is all informal and explanatory, but it saves much time, effort and later expense. Some municipalities may want sketches of proposed subdivisions to give them a better preliminary idea of what is involved. Local municipal staff are available for consultation on these and any other matters of concern to the potential subdivider. Planners in the Regional Planning Department, Plans Administration Division, are also available for consultation on these matters.
Binding commitments should not be made between a subdivider and a municipality at this stage. A clear understanding of what is acceptable, is the aim of the pre-application procedure.

Application

If, after the informal discussions, the owner should decide to subdivide his land, an application should be made to the Region for approval of a plan of subdivision. It should consist of:

- A completed application form (reduced copy attached for reference purposes only).
- At least 40 copies of the proposed plan of subdivision containing key plans (drawn to the required scale) showing the location of the subdivision.
- One duplicate clear chronoflex or material of similar quality.
- One 8½" x 14" (22 x 35 cm) clear chronoflex reduction of the original draft plan.
- The owner's signature, or his written authorization if he does not make the application himself. (This can be on the application form or the face of the draft plan).
- Certification, by a licensed Ontario Land Surveyor, of the boundaries of the land to be subdivided. If the surveyor is satisfied that the work of a previous O.L.S. is adequate, he can so indicate in his certificate. He may also submit the previous drawing if the boundary information is accurate.
- All of the information required under subsections (1) and (2) of Section 50 of The Planning Act or subsection (2) of Section 50 of The Condominium Act.

The following description of a key plan and plan of subdivision should be helpful in understanding the kind of information required under Section 50 of The Planning Act.

KEY PLAN

A key plan is needed to show the relative location of proposed plans of subdivision — whether they are near existing development — as well as the location of all land in the area owned by the subdivider. The area within about one kilometre of a proposed subdivision should be included and the scale of a key plan should not be less than 1:12,000.

The key plan should clearly show:

- the municipality in which the site lies.
- the existing road pattern.
- the scale of the plan (in metric)
- a north point — this should point in the same direction (preferably, towards the upper edge of the plan) on both the key plan and the larger scale plan of subdivision.
- all municipal boundaries within the area shown on the key plan.
- the existing land use pattern(s) in the vicinity of the plan.
- the proposed subdivision site.
- enough information so that the site can be found for inspection; e.g. highways, street names, bridges, railways, buildings.
- the original township lot number and concession lines.
- every adjoining subdivision.
- all adjoining land either owned by the subdivider or in which he has an interest. This can be most clearly shown by shading the extent of the owner's holdings. If the owner owns no adjacent land, a statement should be included to this effect.
- all important features in or near the subdivision site, such as railways and railway crossings, highways, roads, water courses, shorelines, flood lines, gulleys, embankments, bridges, general land uses, schools and parks.
- in the case of hamlet or rural developments, the distance to the edge of the hamlet as well as to other urban places in the area.

DRAFT PLAN OF SUBDIVISION

A draft plan of subdivision shows proposed street layouts, the size and shape of building lots and blocks, the school and park sites within or adjacent to the subdivision, adjacent registered plans, registered or public road allowances, land uses, topography, site drainage and the character of the site.

Requirements of draft plan submission are:

Date:
The date of the original draft plan should be shown and the date of revisions, if any.

Title:
The title should include a reference to the original township lot and concession, or crown grant, in which the proposed plan of subdivision is located, the name of the existing municipality and the file number of previous applications on the site if the current proposal is a resubmission.

Scale
Since the plan is a working document, the scale used should be indicated and should not be larger than necessary to show all information clearly. Smallest acceptable scale is 1:2400 (1 inch - 200 feet).

Copies
The Planning Act authorizes the approval agency to request as many copies as deemed necessary to carry out an adequate review process. In this regard, the Region requires 40 copies of the plan be submitted with the application form. In order that additional copies can be made, if needed, a duplicate clear, chronoflex original should be provided at the time of application submission. The reduced 8½" x 14" (22 x 35 cm) clear chronoflex will also be used by Regional staff to obtain clear and precise reductions necessary to include in staff reports, etc.

Please leave the lower right-hand corner (15 x 15 cm) blank so that the Regional Municipality and Registry Office seals and stamps can be added.

INFORMATION REQUIRED ON THE DRAFT PLAN

In addition, the following details, listed here in alphabetical order, should be included in every draft plan of subdivision:

Access to the site
— if by road:
The width, names and location of all road allowances and rights-of-ways must be shown, together with a note that they are open for use, privately owned, privately or publicly maintained.

— if by water:
The location, size and ownership of a mainland parking area, the location of roads giving access to the parking area and whether the roads are publicly or privately owned. The location size and ownership of docking facilities, if needed.

Boundaries
— site boundaries:

The Planning Act requires that the boundaries of all draft plans of subdivision be certified by a licensed land surveyor. These boundaries should be outlined in colour, or otherwise distinctively shown, and there should be enough measurements to permit comparison with other known boundaries.

— municipal boundaries
All municipal boundaries within or in near proximity to a proposed plan of subdivision should be clearly shown on the plan. For further identification, it may also be helpful to indicate the boundaries of a formerly familiar municipality or urban place.

Contours
Contours, spot elevations or a full verbal description of each subdivision site must be provided so that drainage patterns, road and service locations and gradients, and the general physical form of the site can be readily understood.
Many municipalities have an established survey datum. Subdivision contours should be based on the same datum where it exists or on the datum established by the geodetic survey, where available.
The interval between contour lines or spot elevations will depend on the site. An interval of 2 metres or 5 feet is usual for even, unbroken land. More rugged property will require a closer interval, 1 metre or 2 to 2½ feet.
Contour lines and spot elevations should be extended beyond the boundaries of all proposed plans of subdivision.

Easements, Rights-of-way and Restrictive Covenants
Whenever easements, rights-of-way or restrictive covenants exist, their location, width, purpose and nature shall be either shown on a draft plan or described.
Unopened road allowances and reserves should also be shown. The existence of any unregistered easements, e.g., for a telephone company trunk line, should be indicated.

Final Grades
If the natural grades of a site have been, or are to be, altered by cut or fill operations, the areas to be affected shall be outlined on the draft plan and elevations of the intended finished grades should be shown as well as the natural elevations.

Land Uses
The boundaries of proposed land uses within each subdivision must be clearly shown, together with an indication of existing land uses in the vicinity of the site. The densities of residential uses should be indicated on the plan.
Proposed land use and densities should also be shown on all blocks. Densities indicated for adjacent land uses can be less precise than for the development itself.

Municipal Services
Each application should include a statement about the municipal services available, e.g. garbage collection and disposal, fire and police protection, etc.

Public Open Space — Parks
If public open sapce is to be indicated in a plan of subdivision, its location and size must be shown together with its approximate area and the intended means of access. The subdivider must dedicate at least 5% of the land in a plan to the municipality for parks (2% of the land is conveyed to the municipality for park purposes if the subdivision proposal is for commercial or industrial purposes). In appropriate situations cash in lieu of land may be given.

Railway, Limited Access Roads and Airports
Whenever a plan of subdivision is proposed adjacent to a limited or controlled access road, railway right-of-way or is likely to be affected by the operations of an airport the following information must be included:

- Spot elevations so that rail bed and limited access road grades can be compared with proposed finished subdivision grades.
- All cuts, embankments and bridge abutments.
- The location of the nearest level crossing if within one-half mile. (one kilometre)
- Whether any rail crossings proposed in a subdivision are now open for public use and whether there are any restrictions against the use of an approved crossing by a greater number of persons or vehicles.
- A statement of the number of type of trains using the trackage in an average 24 hour period.
- The peak volume of traffic using any limited access road.
- The location of the plan of subdivision relative to airport flight patterns, and the Noise Exposure Forecast (N.E.F.), contours, if available.
- The number and type of aircraft normally using the runways that could affect a subdivision.

Roads
— existing roads:
The width, name and location of all existing roads, highways, lanes and rights-of-way giving access to a proposed plan of subdivision or lying adjacent to its boundary must be shown.

— ownership and maintenance
Whether all road allowances leading to and within a plan of subdivision are privately or publicly owned and maintained must be clearly stated on the plan. The dedication of a road allowance for public purposes by a registered plan of subdivision does not mean that its maintenance is automatically a responsibility of the local municipality.

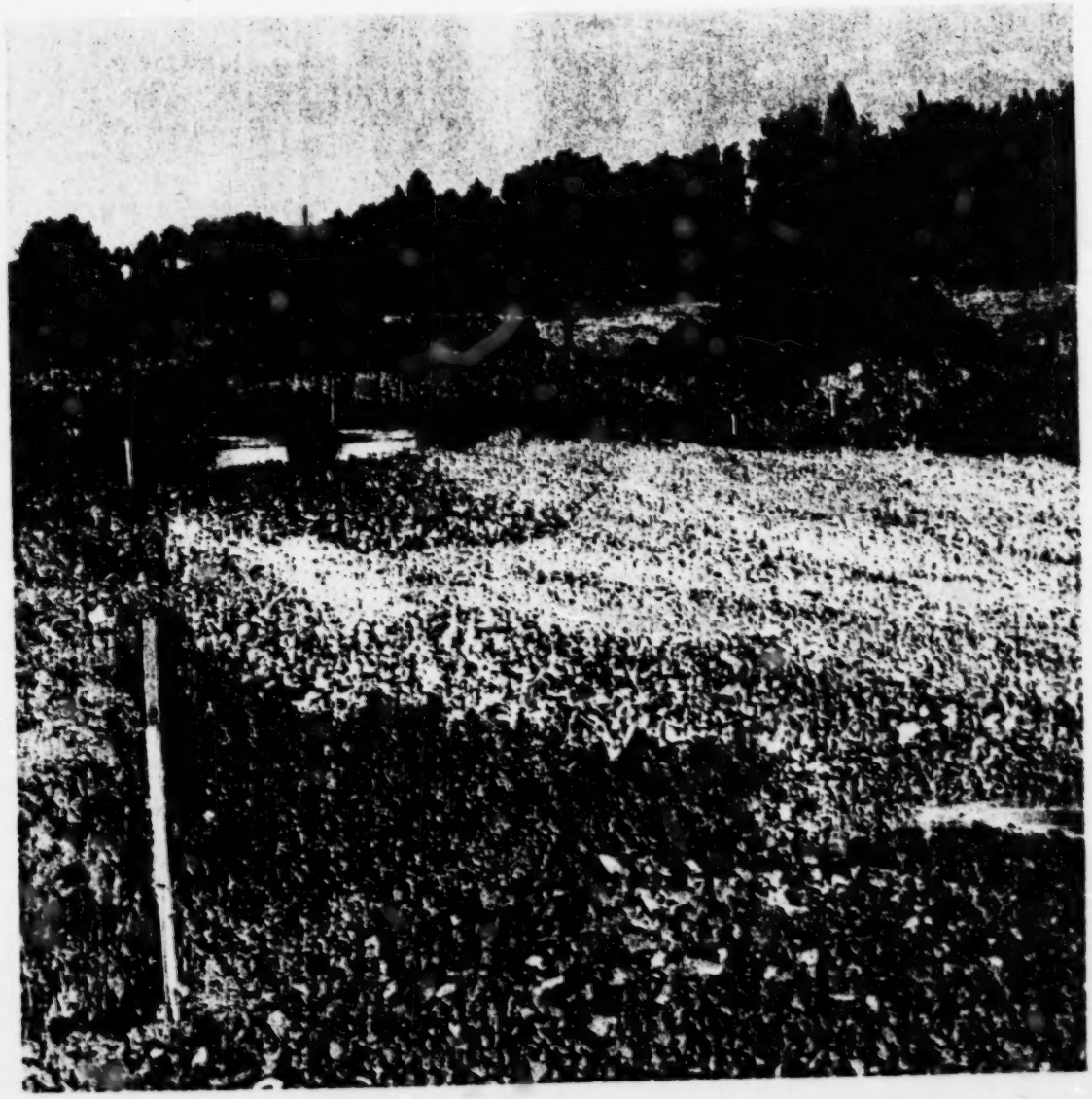
— all road allowances:
Regardless of the type of road allowances, it should be clear from the draft plan whether they are open for use by the public, not yet

constructed or have been closed. If closed the date and instrument number by which this was done should be included.

— original road allowances:
These were provided for in the original survey of the area and where they exist they must be shown. If an original road allowance must be closed to accommodate a Subdivision Plan, it should be required as a condition of draft approval. The closing must therefore take place before final approval is granted.

— new roads:
The width and location of all proposed road allowances within the plan must also be shown. It should be clear from the draft plan whether these proposed roads will be constructed on allowances for roads reserved in original surveys, as shown in official survey documents.

Sanitary Sewage Disposal
The location of the nearest public sanitary sewer should be shown on the draft plan if one exists. Proposed sanitary services must be those intended to be installed and available for use at the time of building occupancies. If a sanitary sewer is to be constructed but not used due to lack of trunk sewers, pumping or treatment facilities, this must be clear on the Application Form. Any temporary sanitary sewage disposal system must be indicated.
If a public sanitary waste disposal system is not immediately possible, the means of disposal and treatment must be stated. Also the approximate location on each lot, if known, where individual treatment tanks, tile disposal beds, pit privies, etc., could be located should be shown on the draft plan.



Schools
If school sites are required within a proposed plan of subdivision, the site location, size, access and the type of school must be shown.

Site Features
— natural:
Natural features of the subdivision site must be shown, such as watercourses, drainage patterns, swamps, flood limits, wooded areas, erosion, gulleys, ravines, embankments, high water marks, water's edge, rock outcropping, stumped areas, fire hazards, etc.
— artificial:
The following artificial features, and others of a similar nature, should be shown on the draft plan: drainage ditches, dams, highways, streets, railways, dikes, garbage and refuse dumps and depths of filled areas, etc.

Soil
The applicant should indicate on the draft plan the nature and porosity of the soil. The Provincial Ministry of the Environment has literature about the design and construction of septic tank systems and about soil percolation test methods.

Staging
Subdivision development is sometimes planned to take place over a number of months or years. In such cases, the draft plan should show, by outline, the parts of the plan to be developed and the order in which development is planned.

Storm Drainage
The way in which surface water will be carried away and disposed of should be explained — whether by open ditches or a municipal storm sewer. The location of existing public storm drainage systems should be shown on the draft plan. If a storm sewer is to be constructed but not used immediately due to lack of trunk sewer capacity or an adequate outlet, this should be clear on the application. All temporary storm drainage systems should be shown and there should be a statement as to when a proper system will be available for use.

Street Names
Be careful not to duplicate existing street names unless an existing street is extended into a proposed subdivision. Since the Regional Municipality is responsible for avoiding duplication, it is suggested that the subdivider consult with the Regional Planning Department on the names to be used.
If this is not possible, the subdivider may identify each proposed street by a letter or number of the draft plan. The actual names can be decided later and will be included in the recommendations of the municipality to the Region.

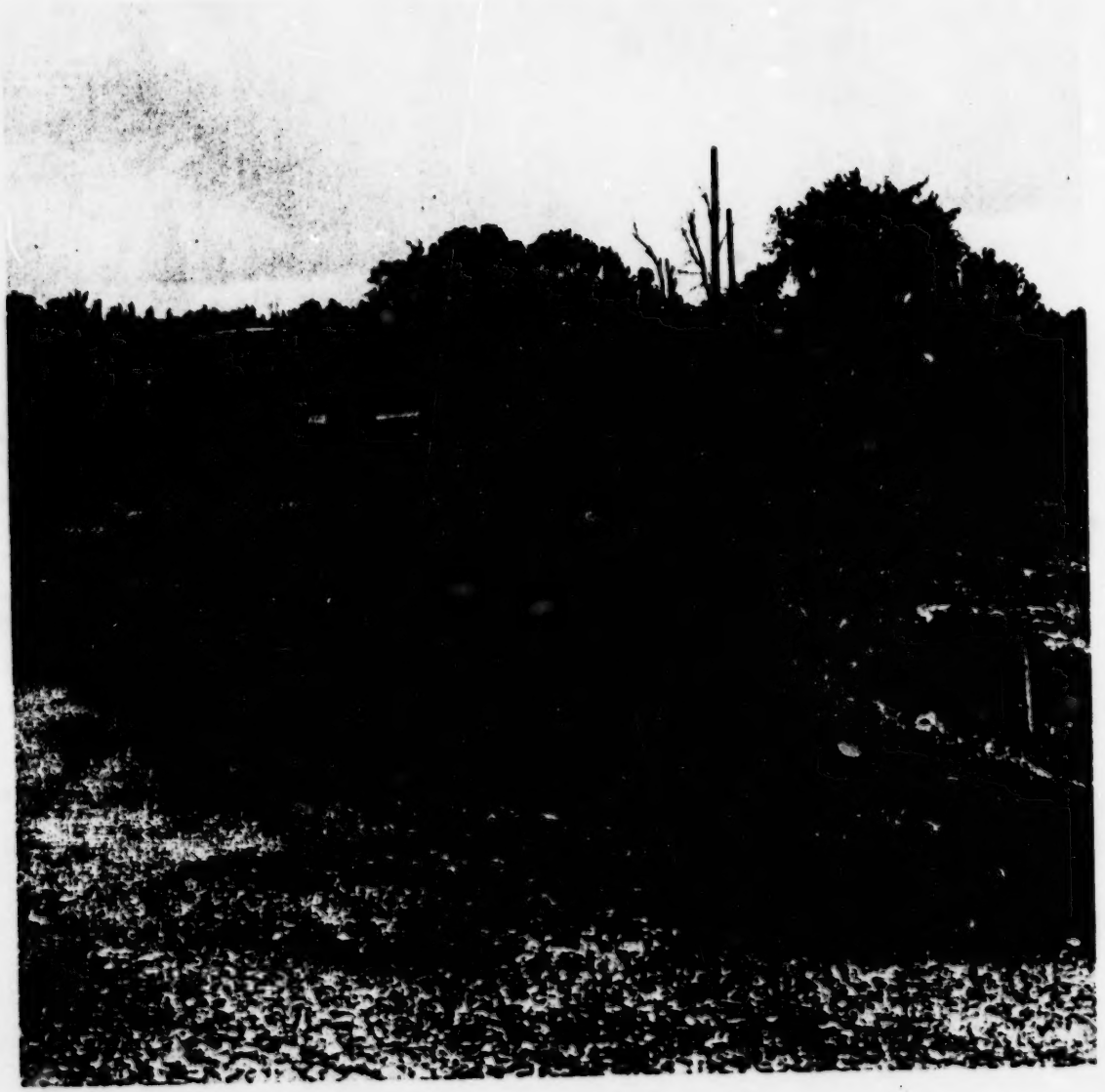
Water Frontage
Every draft plan of subdivision having water frontage must show or note:

— the location of the water's edge
— the location of any flood limits
— the nature of the shoreline — rocky, treed, sandy, reedy, swampy, stumped, etc.
— the nature of the bed of the water —sandy, gravelly, stony, rocky, marshy, etc.
— all public access to the water, existing or to be conveyed
— the ownership of any water lots in the immediate vicinity.

Water Supply
The intended source of water supply for drinking and other purposes must be stated in the application form. The intended ownership and responsibility for operation and maintenance of a water supply must also be stated and should be a public agency wherever possible.
If the source of water is to be from ground water supplies (wells, springs, etc.), there must be, before draft approval, information from a qualified person that such a source exists and his opinion that there is adequate quantity and that it is of acceptable quality.
When wells are to be used, the number and type to serve the subdivision should be stated.
If more than five families are to be served by one private waterworks (well, piped water system, etc.), approval of the Provincial Ministry of the Environment or its agents must be obtained.

Energy Conservation
Consideration should be given to the physical layout of the plan with regard to energy conservation.

ADDITIONAL INFORMATION
Supporting municipal or consultants' reports, if any are available, assist in the evaluation and may be submitted with the draft plan. Air photos, photo mosaics and copies of the plan reduced to normal page size are welcomed.



AMENDMENTS AND REVISIONS

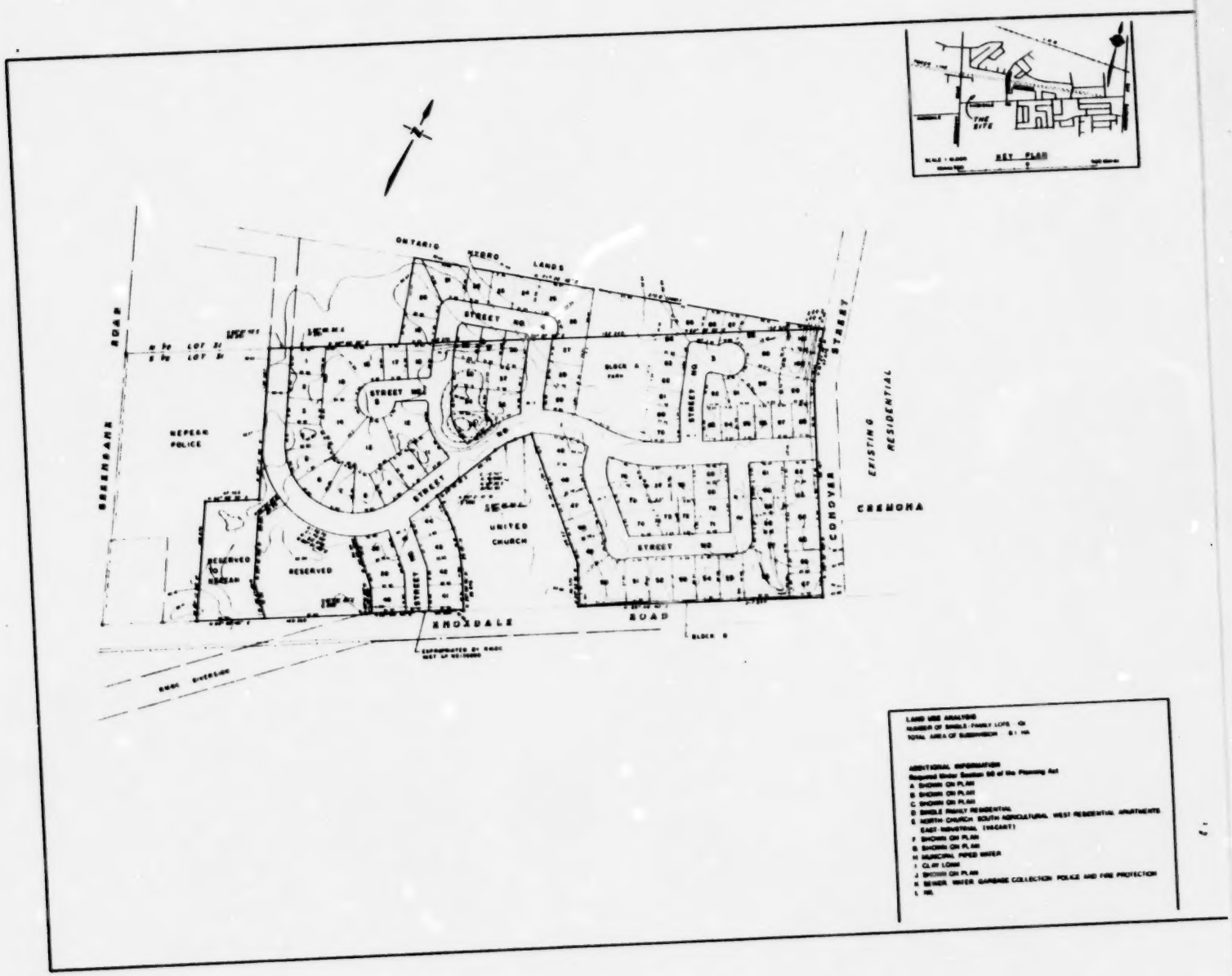
Minor Amendments

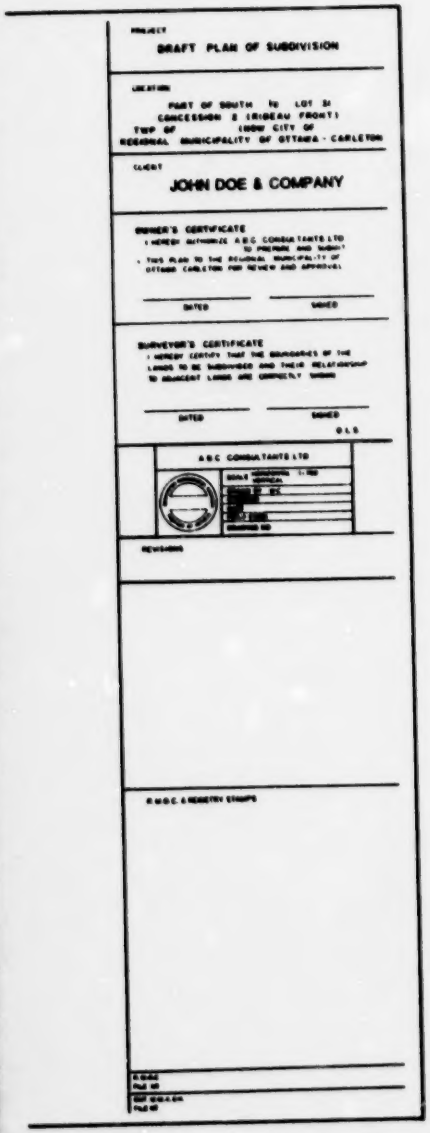
It is not necessary or practical to prepare and submit additional plans for minor changes to draft plans. They should be discussed with local municipal officials and information about desired minor amendments made known to the Region. Minor changes can be accomplished through conditions imposed by the Region at the time of approval, if the draft plan of subdivision is to be approved.

Other Changes

Revisions and amendments, other than minor ones, should be formally submitted to the Region and may require a recirculation process on a limited basis, as well as approval by Regional Planning Commissioner or possibly by the Regional Council. The date of revision or amendment should be noted and the changes from the original draft plan should be clearly shown.

A sample draft plan of subdivision is illustrated in the context of this discussion and a sample application form is reproduced at the back of this booklet. They contain all the information required in a typical submission of a plan of subdivision to the Regional Municipality of Ottawa-Carleton.


KEY PLAN
THE SITE
ONTARIO
HERO
LANDS
STREET
BEERS ROAD
LOT 31
LOT 30
NEPEAN POLICE
STREET NO.
BLOCK A
PARK
STREET
EXISTING RESIDENTIAL
CONOVER
CREMONA
UNITED CHURCH
RESERVED
RESERVED TO NEPEAN
STREET NO.
STREET
KNOXDALE
ROAD
BLOCK B
EXPROPRIATED BY OMB
OMB DIVERSION
LAND USE ANALYSIS
NUMBER OF SINGLE FAMILY LOTS 18
TOTAL AREA OF SUBDIVISION 2.1 Ha
ADDITIONAL INFORMATION
Exempted Minor Section 50 of the Planning Act
A SHOWN ON PLAN
B SHOWN ON PLAN
C SHOWN ON PLAN
D SINGLE FAMILY RESIDENTIAL
E NORTH CHURCH SOUTH AGRICULTURAL WEST RESIDENTIAL APARTMENTS
EAST INDUSTRIAL (VACANT)
F SHOWN ON PLAN
G SHOWN ON PLAN
H MUNICIPAL PIPED WATER
I CLAY LOAM
J SHOWN ON PLAN
K SEWER WATER GARBAGE COLLECTION POLICE AND FIRE PROTECTION
L Nil



CONDOMINIUM PLANS

As stated previously, the approval of condominium plans is the responsibility of the Regional Municipality of Ottawa-Carleton. Applications may be filed with the Regional Planning Department.

A condominium is a form of multiple housing in which there is legal ownership of individual units, but collective ownership of certain portions of the site (the common elements). After a condominium is registered, it is controlled by a committee elected by the residents.

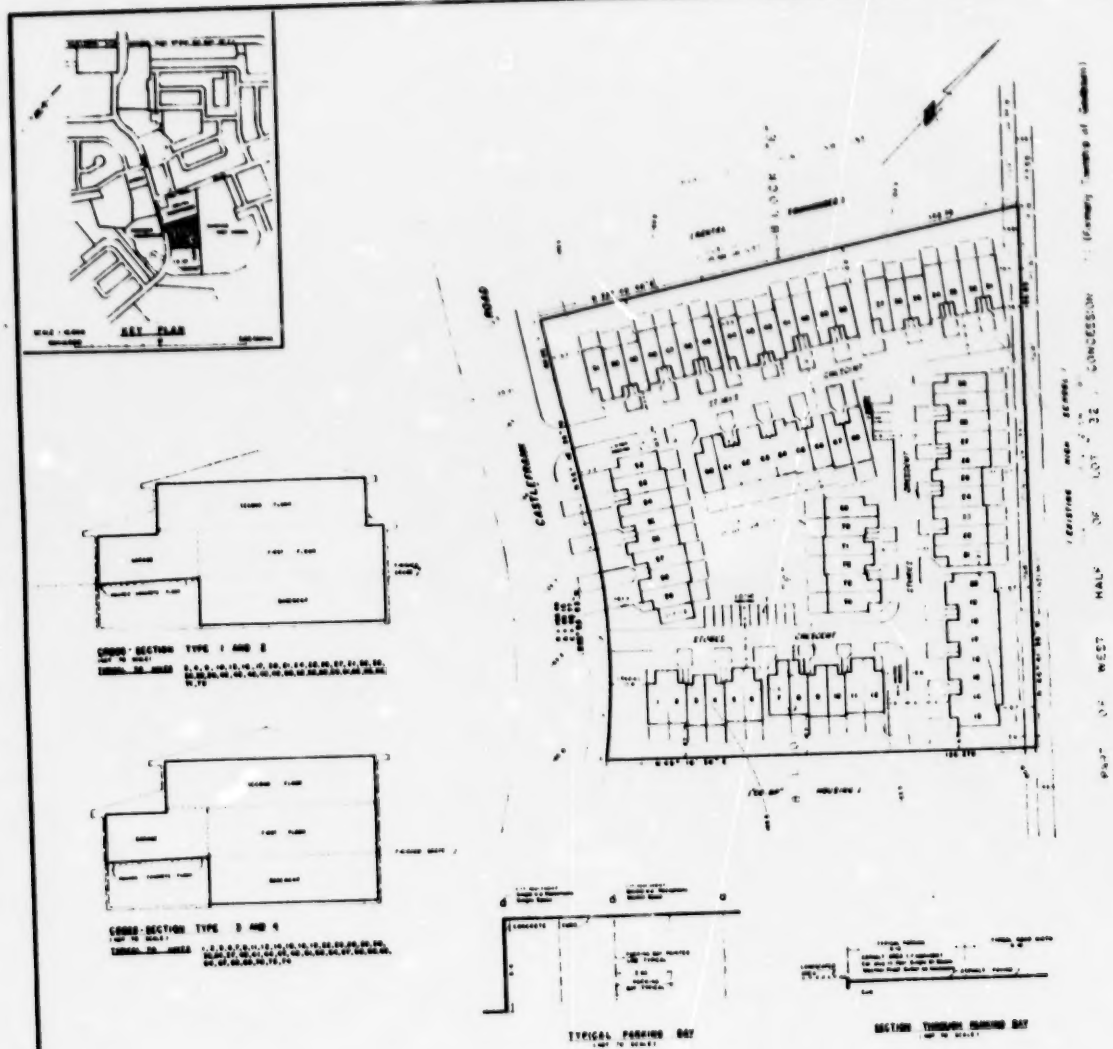
Applications for approval of plans of condominium must be submitted to the Region in a manner similar to that required for subdivision approval. A reduced copy of the Condominium application form is attached to this guide for reference purposes only. All the requirements for draft plans of subdivision stated in this publication, therefore, apply to plans of condominium. There are certain additional items required, notably, the following:

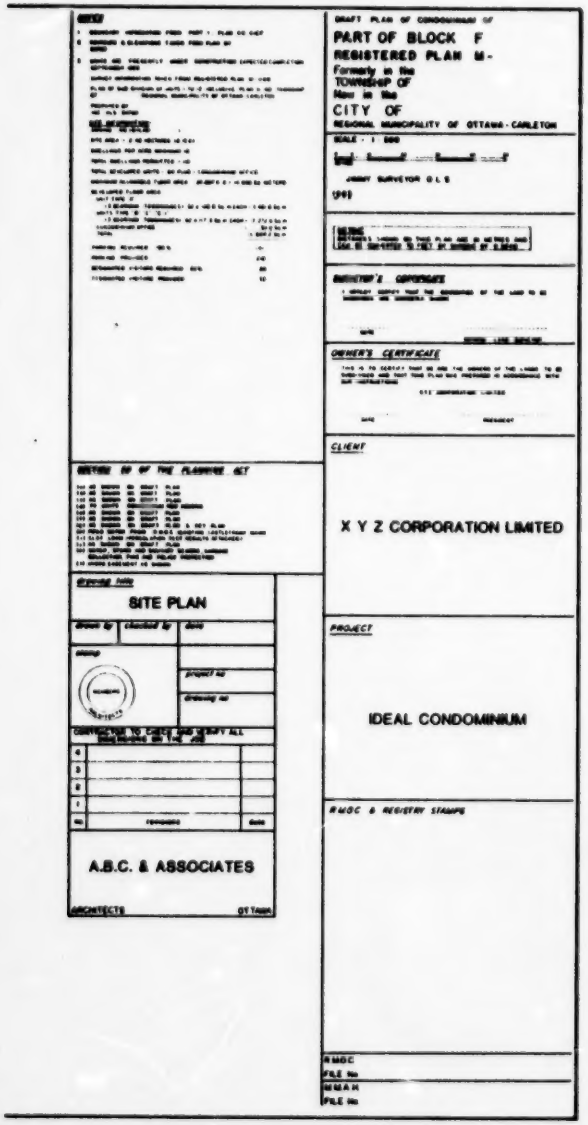
Date

Applications should show the year of the completion of construction.

Size

The total number of units and the number of stories should be shown. A listing of units by bedroom count should be included.





Access
Plans should clearly indicate how street traffic will gain access to garages and on-site parking spaces. Pedestrian access facilities such as walkways, stairways, elevators, hallways, should be clearly indicated.

Status
The application should state whether approval is being sought for conversion from existing rental units to condominium or whether the proposal is being developed initially for condominium purposes.

Common Element
The proposed exclusive uses of the common element should be indicated on the draft plan.

Layout
A typical and atypical, if any, floor layout with any significant variations should be shown on the plan. The structural plans for a condominium will need to be made available only upon request.

Zoning By-law
Conformity to all aspects of the Official Plan and zoning by-law must be determined prior to draft approval. This includes parking spaces, floor areas, lot sizes, density, lot coverage and density requirements after separating the condominium units from any other property. If they do not conform, it should be stated. The number of the latest zoning by-law must be shown on the face of the draft plan.

Evaluation of the Draft Plan

The Plans Administration Division of the Regional Planning Department sends copies of draft plans of subdivision to local municipal officials, ministries of Provincial and Federal governments, commissions, special authorities and others that may be affected by the proposed subdivision of land. All agencies are requested to return their comments and recommendations within 30 days of receipt of the circulated material.

The subdivider is notified by the Plans Administration Division of the comments received from the various agencies who have reviewed his plan of subdivision. This is the stage at which formal discussions should take place between the subdivider, the Region and certain agencies, about such matters as site access, rate and density of development, availability of public services, school sites, public open space, etc. Settlement of the last two provisions is especially important as they affect the entire design of subdivision layouts.

The Plans Administration Division will notify the applicant of any delays or problems that may arise during the evaluation process.

If no Regional Planning Commissioner or Regional Council decision on an application has been made within 90 days following receipt of a complete application, the Region is required to prepare a written explanation on the status of the application at that time. The applicant, as well as the Clerk of the area municipality and Minister of Municipal Affairs and Housing, will receive copies of this "90-Day Status Report".

STUDY PROCESS

When all comments and recommendations have been received, they are studied by Plans Administration Division staff.

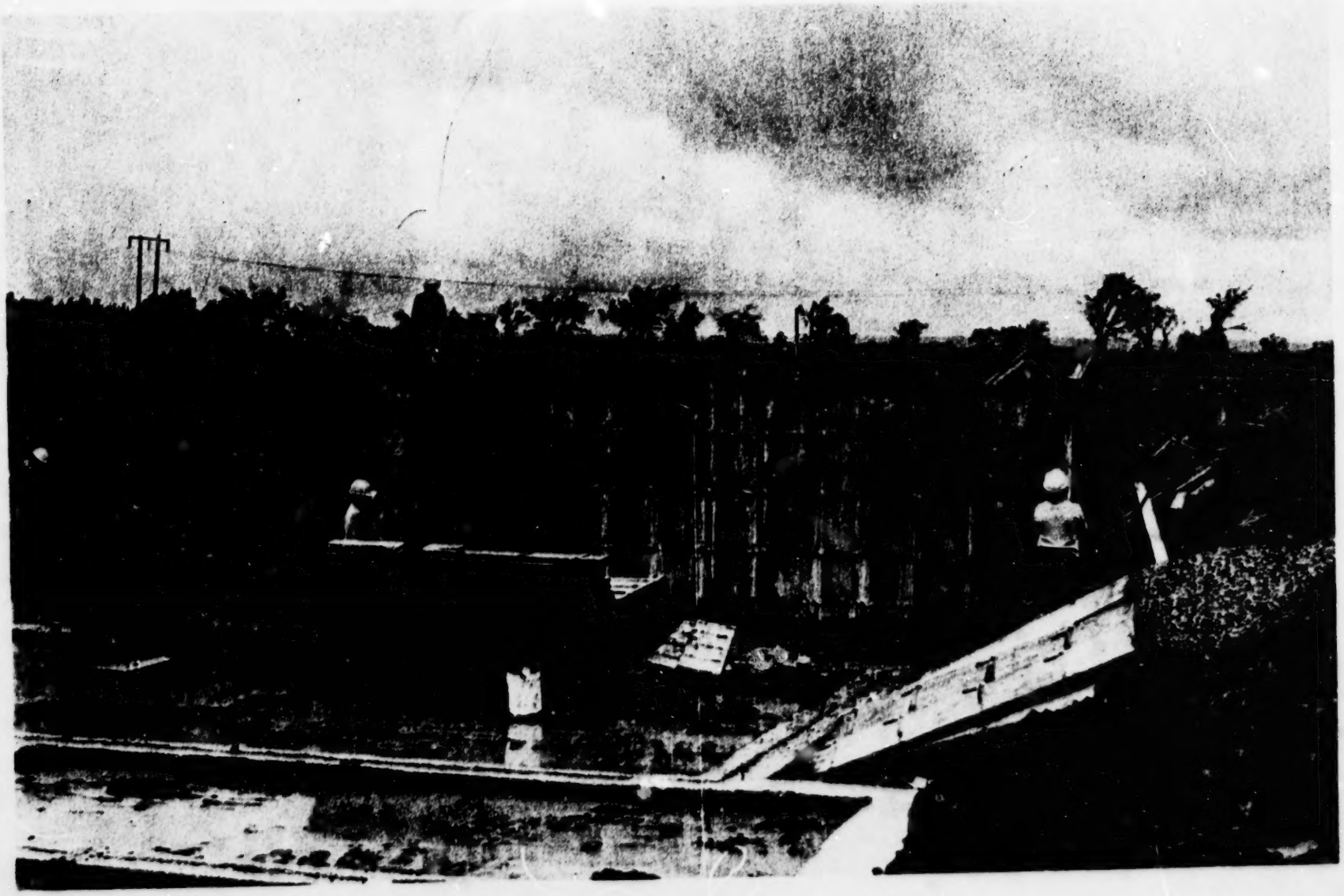
The study process depends upon:

- The nature and number of recommendations; where there appear to be conflicting recommendations, staff is responsible for sorting out, clarifying and settling any differences.
- The extent of cooperation between the municipality and the subdivider.
- The extent to which the procedures and legislative requirements for preparing and submitting draft plans of subdivisions are followed. It cannot be stressed too much that improperly prepared plans only result in delays.

Draft plans may not be circulated or approved if they appear not to conform with an approved local Official Plan or any Regional Official Plan policy.

After the study process is completed, the Plans Administration Division may prepare a report to Regional Planning Commissioner recommending approval of the draft plan of subdivision, usually subject to a number of proposed conditions. This preliminary report is sent to the subdivider and once written concurrence is received with the recommendation and proposed conditions, the report is finalized and sent to the Regional Planning Commissioner. The Planning Commissioner considers the staff recommendation and if satisfied, signs the plan as draft approved. This draft approval authority has been delegated by Regional Council to the Regional Planning Commissioner on those subdivision and condominium applications where the Regional staff recommendations and proposed draft plan conditions are supported by the area municipality, the applicant and all departments/agencies having an interest in the application. On any staff report that recommends rejection, deferral, or referral to the OMB or on any application containing disputed conditions, such reports will be considered by the Regional Planning Committee and, if necessary, forwarded to the Regional Council for consideration and final action. In such cases, draft approval should not be considered granted until such time as Regional Council ratifies the Planning Committee decision on this matter. Also, the applicant will be given ample opportunity to discuss with staff the recommendations of the Planning Committee report before it is formally submitted to the Planning Committee and will be given the opportunity to state his case before that Committee when it considers his application.

It should be stressed that draft approval by either the Regional Planning Commissioner or Regional Council is only a commitment to allow development on a specific site **according to the draft plan** and **only if specific conditions are met.**



DRAFT APPROVAL

When a draft plan is approved by either the Regional Council or Regional Planning Commissioner, a copy of the approved plan is sent to the owner, or his agent, with the conditions of draft approval. Copies of the notice of approval and of the conditions are also sent to all of the authorities consulted before approval.

When a draft plan has been approved, the owner may rough-grade roads and authorize the surveying of the plan as approved and begin the preparation of a final plan. He also arranges to meet the conditions of draft approval, including written agreements with the municipality, other agencies and authorities.

CONDITIONS OF DRAFT APPROVAL

Most draft plans of subdivision are approved subject to conditions. The purpose is fourfold:

- To ensure that changes to subdivision layouts considered essential by the Region are made.
- To ensure that federal, provincial, regional and local interests are generally satisified and that there is compliance with policies and procedures.
- To give local governments authority to make binding legal subdivision agreements with developers on local matters, in accordance with the conditions of draft approval.
- To require that necessary agreements be made and direct action taken to satisfy the terms of draft approval.

All conditions to the approval of a draft plan of subdivision must be satisfied by work being done where required, conveyances and transfers being made and written agreements being executed before a final plan of subdivision can be recommended to the Region for final approval.

THE REGION AND THE SUBDIVIDER

The Region will require that certain procedures and minimum standards be met in the interests of sound development practice. It will require changes to any plan of subdivision where the design concept is considered not to be sound; the proposed plan will make development of adjacent lands awkward or impossible, the plan encraoches on a flood plain or top of an embankment subject to possible erosion, the streets in the plan and on adjacent properties are not aligned or create poor or dangerous intersections, road and highway widenings are required, lot sizes and road allowances are not of acceptable standards for the type of development proposed, schools are required, parks or other sites are required, or for other similar reasons.

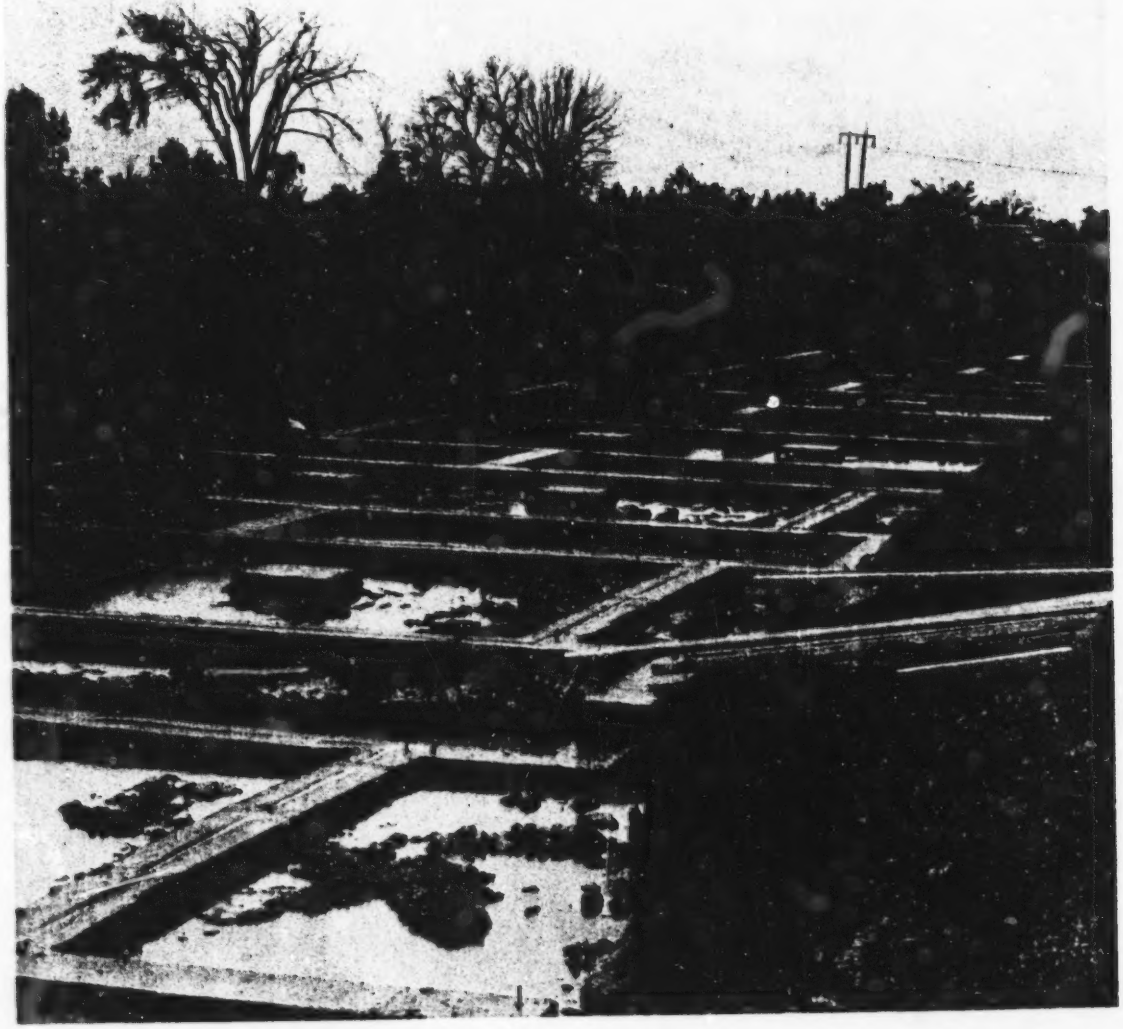
SUBDIVISION AGREEMENTS

All of the municipal related conditions to approval of draft plan of subdivision which can be done before approval of a final plan should be completed. All others should be the subject of the subdivision agreement between the municipality and the subdivider which must be to the municipality's satisfaction before final approval is given. Before approval of a final plan, a letter is to be sent to the Plans Administration Division from each agency with conditions and the municipality notifying how each of the conditions of draft approval that apply to them have been met or that enforceable agreements have been made with the subdivider.

These agreements normally cover such matters as: staging of development; municipal services and utilities; minimum road standards; minimum construction and material standards; conveyance of land or cash value in lieu; site grades; access to the site; oversize services; certain costs chargeable against a development; site plans; demolition or removal of existing buildings and construction buildings; liability; maintenance responsibility; assumption of services, utilities, roads, etc., by a municipality; necessary conservation measurse not within the scope of a conservation authority; form and amount of bonding or other like assurances.

LAPSING OF A DRAFT APPROVAL

Where the Region has not given its approval to a final plan within three years after the date of draft approval, the draft approval lapses. A lapsed draft approval cannot be re-instated and a new application for approval must be submitted. However, the draft approval can be extended before expiry, if the owner is legitimately attempting to meet the conditions of draft approval and there are justifiable reasons for the delay. The request for extension which should be sent to the Plans Administration Division, must detail the steps being taken to resolve the outstanding problems and provide a municipal resolution supporting the extension.



Final Approval

When approved by the Regional Municipality of Ottawa-Carleton, final plans of subdivision are the legal documents that allow new lots to be created and development to proceed. They are prepared by a licensed Ontario Land Surveyor in accordance with **The Registry Act, The Land Titles Act** and **The Surveys Act** and then deposited in the Land Titles Office.

LETTERS OF CLEARANCE

When conditions of approval have been carried out and binding agreements made about those which cannot be met before registration, letters of clearance are forwarded to the Plans Administration Division by the municipality and by other authorities to which the Region has required the subdivider to give undertakings, make agreements, convey land, etc. These letters should clearly and briefly describe the manner in which each condition of draft approval has been fulfilled.

COPIES OF THE FINAL PLAN

The owner (or agent) forwards to the Plans Administration Branch the following copies:

a. 1 original
b. 4 translucent duplicates (5 for condominiums)
c. 5 white paper copies

If all clearance letters have been received and are satisfactory, the plan is endorsed with the Region's stamp and signature. This will ensure anyone searching title that the plan has legally been approved. The plan can then be forwarded to the local Land Titles Office for registration purposes.

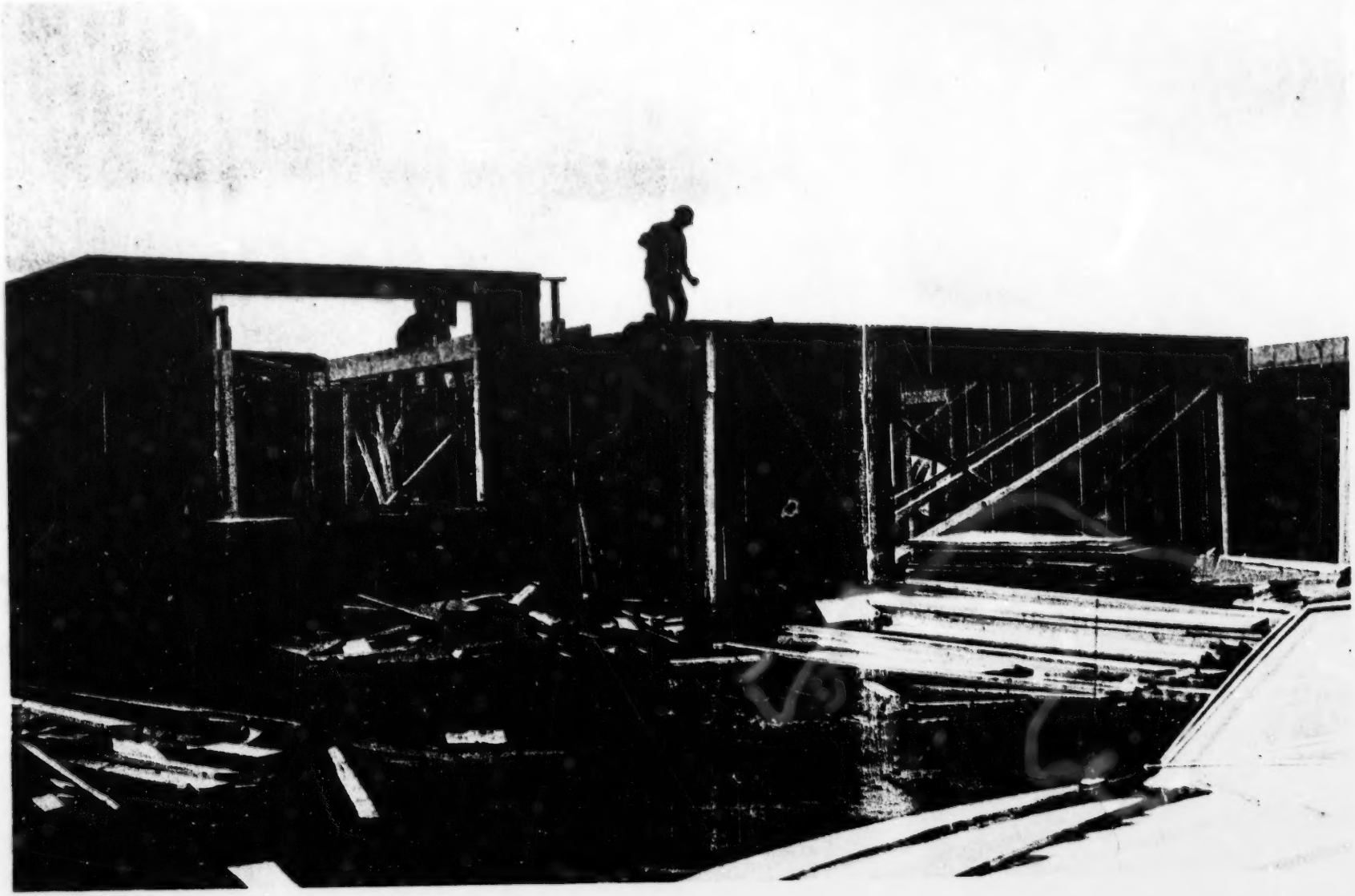
REGISTRATION OF THE FINAL PLAN

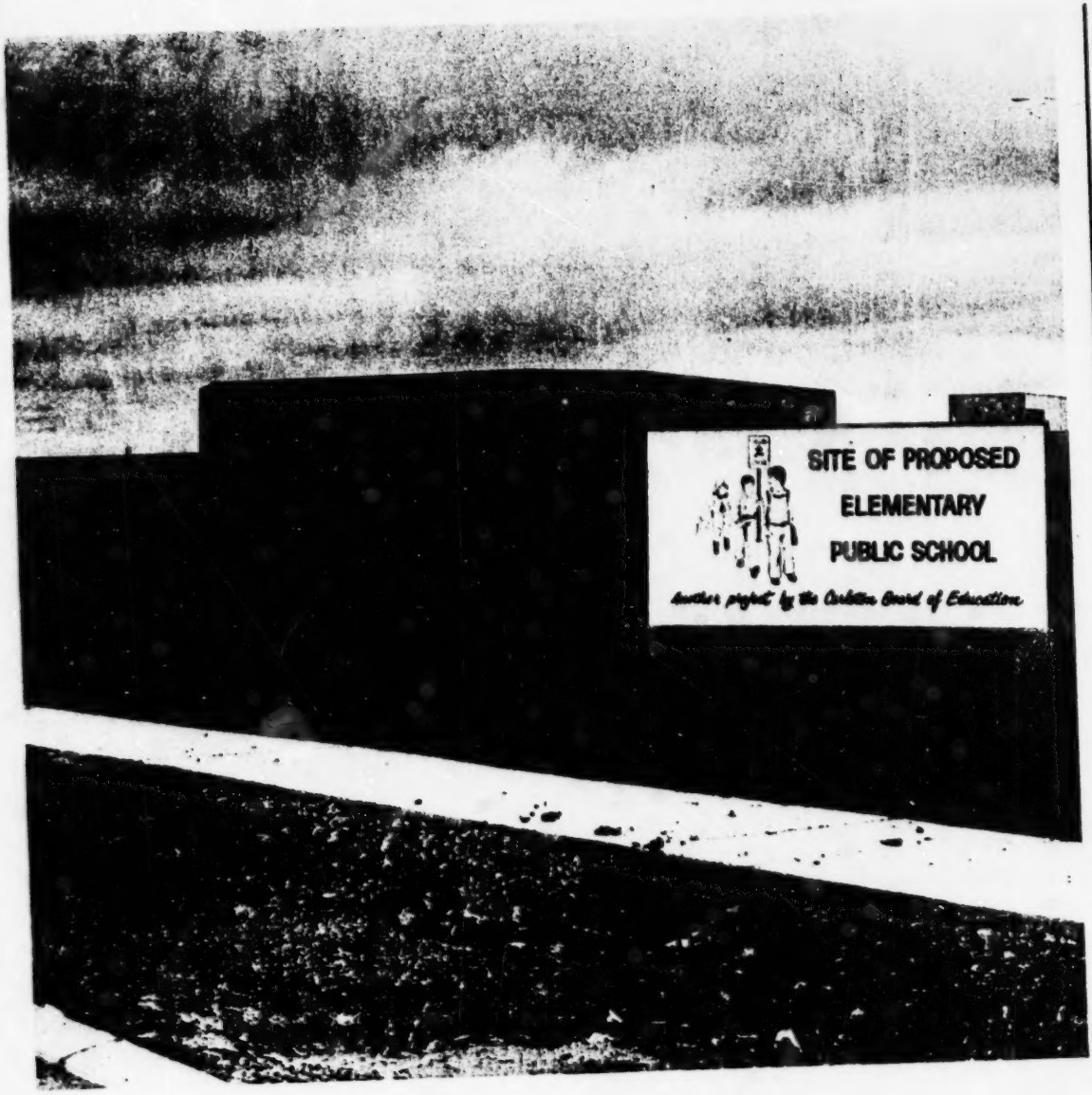
Since the Regional Municipality is under The Land Titles System, the Ontario Land Surveyor is required to send two paper prints of his final plan of subdivision to the Legal Surveys Branch, Property Rights Division, Ministry of Corporate and Consumer Affairs for examination. Title and plan, are thoroughly checked and, when found satisfactory, a tentative approval, Form "J", is given to the Ontario Land Surveyor to attach to the original and necessary duplicates for transmission to the Region for final approval. At final approval the Region's stamp and signature is endorsed on the plan, the original and necessary copies are then returned to the Legal Surveys Branch, for the Examiner of Surveys' approval. That Branch will then forward the plans directly to the local Land Titles office for registration.

AFTER REGISTRATION

After the final plan has been registered under **The Land Titles Act** it is then termed a registered plan and is given a number. The Land Registrar will distribute the duplicate plans in the following way:

a. Retain the original.
b. Send one translucent duplicate to the clerk of the local municipality.
c. Send one translucent duplicate and 2 paper prints to the Regional Office of the Assessment Branch of the Ministry of Revenue.
d. Send one translucent duplicate to the Surveyor.
e. Return one translucent duplicate to the Plans Administration Division of the Regional Municipality of Ottawa-Carleton.





CHANGES TO FINAL PLANS AND WITHDRAWAL OF APPROVAL

Although not frequent, there are occasions when changes to plans of subdivision are necessary following final approval by the Region, e.g. death of an owner or mortgagee, additional survey requirements, etc. In such cases, the matter should be brought to the attention of the Region. If a plan of subdivision is not registered within one month of the date of final approval, the Region has authority to withdraw final approval. This authority has been used when it was necessary to replace a subdivision plan already approved by the Region but which was later decided not to be in a registrable form.

Regional Municipality
of Ottawa-Carleton
222 Queen Street
Ottawa Ontario K1P 5Z3

Planning
Department

Municipalité Régionale
d'Ottawa-Carleton
222 rue Queen
Ottawa Ontario K1P 5Z3

Département
de l'Urbanisme

SUBDIVISION APPLICATION GUIDE

for applying for approval under Section 50 of The Planning Act

A. APPLYING FOR SUBDIVISION APPROVAL

The Ontario Ministry of Municipal Affairs and Housing has delegated to the Regional Municipality of Ottawa-Carleton the approval of subdivision applications. Application forms are available from the Regional Municipality for the purposes of applying for subdivision approval. These application forms are not for use when approaching a local municipality in Ottawa-Carleton, with regard to filing an application. The applicant is advised, however, to discuss the proposal with the local municipality for local Official Plan, zoning and policy information before making a formal application to the Regional Municipality.

B. USING THE APPLICATION FORM

1. The attached application form should be typewritten and mailed to:

   Regional Municipality of Ottawa-Carleton
   Attention: Planning Commissioner
   Planning Department
   222 Queen Street, 8th Floor
   Ottawa, Ontario
   K1P 5Z3

   Please ensure that you retain a copy for your file.

2. The application must be completed by the property owner or his authorized agent. Where it is being made by an agent, the written authorization of the owner must accompany the application. For your convenience, an authorization form has been included in the attached application. Alternatively, the owner's authorization may be shown on the face of the draft plan.

3. It is the responsibility of the owner to research and evaluate the site and the proposal to ensure that the development will conform with the interests of the health, safety and welfare of the future residents, either owners or tenants. Sufficient studies for the completion of the application should be carried out prior to a submission for approval, and should be reflected in the application form. This information will assist in quickly and comprehensively assessing the application. If further studies are required, the applicant will be notified. If the form or the draft plans seem incomplete or inaccurate, the application will be returned for completion, correction or clarification prior to any processing.

C. DRAFT PLAN SUBMISSION REQUIREMENTS

1. The Regional Municipality requires that all applications must be accompanied by the following plans drawn to scale, with boundaries certified by an Ontario Land Surveyor:

   (i) 40 paper prints of the draft subdivision plan,
   (ii) a duplicate clear cronaflex original or material of similar quality; and
   (iii) an "8½ x 14" clear cronaflex reduction of the original draft plan.

2. These plans should include all items as required by Section 50 of The Planning Act (listed on the reverse of this Guide).

D. DEALING WITH THE APPLICATION

1. After receiving a fully complete application, the Regional Municipality will confer with officials of municipalities and other ministries, commissions and authorities and with others who may be concerned, to obtain information and recommendations.

2. After an evaluation of the Plan and of the comments and recommendations received from all agencies and departments circulated, and in particular those from the local municipality involved, the subdivision approval process can follow one of two routes:

   (i) Draft Approval by Regional Planning Commissioner
   Regional Council has delegated to the Regional Planning Commissioner the authority to draft approve those subdivision plan applications where the Regional Planning Department's recommendations and proposed conditions are supported by the local municipality, the applicant and all departments and agencies having an interest in the application.

   (ii) Draft Approval by Regional Council
   In the event the Regional Planning Department's recommendations and proposed conditions do not satisfy the parties involved, including the applicant, the local municipality or any department or agency with an interest in the application, the application will then be dealt with by the Regional Planning Committee. This Committee, in considering the plan, will hear representations and may recommend to Regional Council draft approval subject to conditions.

3. If Regional Council or the Regional Planning Commissioner grants draft approval subject to conditions, these conditions must be fulfilled to the satisfaction of the agencies affected prior to final plan approval and registration.

4. Section 50(15) and 50(17) of The Planning Act provide that an application for approval may be referred to the Ontario Municipal Board for a decision.

E. NOTICE OF CHANGE OF OWNERSHIP OR AGENT

If during the time the application is being processed, or at any time prior to Final Registration, the lands which are the subject of this application are sold, or the agent ceases to be the agent for the owner, it is the responsibility of said owner to notify the Regional Planning Department of such changes within 30 days of such change taking effect. Failure to do so may result in the need to file a new application, or lost correspondence on critical procedural matters.

Revised Sept. 1983

POINTERS ON SUBDIVISION APPROVAL ADAPTED FROM THE PLANNING ACT

Section 50

i) Subsection 2, Information required to be shown on the draft plans

(a) the boundaries of the land to be subdivided, certified by an Ontario land surveyor;

(b) the locations, widths and names of the proposed highways within the proposed subdivision and of existing highways on which the proposed subdivision abuts;

(c) on a small key plan, on a scale of not less than one centimetre to 100 metres, all of the land adjacent to the proposed subdivision and the relationship of the boundaries of the township lot or other original grant of which such land forms the whole or part;

(d) the purpose for which the lots are to be used;

(e) the existing uses of all adjoining lands;

(f) the approximate dimensions and layout of the proposed lots;

(g) natural and artificial features such as buildings or other structures or installations, railways, highways, watercourses, drainage ditches, swamps and wooded areas within or adjacent to the land proposed to be subdivided;

(h) the availability and nature of domestic water supplies;

(i) the nature and porosity of the soil;

(j) existing contours or elevations as may be required to determine the grade of the highways and the drainage of the land;

(k) the municipal services available or to be available to the land proposed to be subdivided; and

(l) the nature and extent of any restrictive covenants or easements affecting the land proposed to be subdivided.

ii) Subsection 4, In considering a draft plan of subdivision, regard shall be had, among other matters, to the health, safety, convenience and welfare of the present and future inhabitants of the local municipality and to the following,

(a) the effect of development of the proposed subdivision on matters of provincial interest;

(b) whether the proposed subdivision is premature or in the public interest;

(c) whether the plan generally conforms to the official plan and adjacent plans of subdivision, if any;

(d) the suitability of land for the purposes for which it is to be subdivided;

(e) the number, width, location and proposed grades and elevations of highways, and the adequacy thereof, and the highways linking the highways in the proposed subdivision with the established highway system in the vicinity and the adequacy thereof;

(f) the dimensions and shape of the lots;

(g) the restrictions or proposed restrictions, if any, on the land, buildings and structures proposed to be erected thereon and the restrictions, if any, on adjoining lands;

(h) conservation of natural resources and flood control;

(i) the adequacy of utilities and municipal services;

(j) the adequacy of school sites;

(k) the area of land, if any, within the subdivision that, exclusive highways, is to be conveyed or dedicated for public purposes; and

(l) the physical layout of the plan having regard to energy conservation.

iii) Subsection 6, Every municipality may enter into subdivision agreements imposed by the regional municipality, as a condition of draft approval.

iv) Subsections 5 and 8, The regional municipality may impose as a condition that a maximum of 5% of the concerned lands be conveyed to the municipality for park purposes (2% of the subject lands be conveyed to the municipality for park purposes if subdivision proposal is for commercial or industrial purposes) or, in lieu of the conveyance, that money to the value of such land be given to the municipality.

DO NOT RETURN THIS INSTRUCTION SHEET WITH COMPLETED APPLICATION

SUBDIVISION APPLICATION FORM
for applying for approval under Section 50 of The Planning Act

1. Local Municipality _____ Lot No. _____ Con. No. _____ Registered Plan No. _____
2. Resubmission of an earlier plan: YES ☐ NO ☐ DON'T KNOW ☐ Lot No./Block No. _____
3. Complete the following and check the box next to the person or firm to whom correspondence should be addressed.

	NAME	ADDRESS & PHONE NUMBER
Registered Owner		
Agent, Solicitor or planning consultant		
Ontario Land Surveyor		

4. Proposed Land Use

Indicate the intended uses of land in the proposal. Please use the following definitions for residential buildings:

single family residential — a single family detached dwelling unit.
double or semi-detached — a residential building containing 2 dwelling units.
row — a residential building containing 3 or more units each with direct access to the street.
apartment — a building containing 3 or more dwelling units each with access to the street via a common corridor.

Intended Use	Residential Units	Numbers of Lots, Leases or Blocks	Hectares
single family residential			
double or semi-detached residential			
row and town housing			
apartments			
seasonal residential (cottage or chalet)			
neighbourhood commercial	Nil		
commercial, other	Nil		
industrial	Nil		
park or open space	Nil		
institutional (specify)			
other (specify)			
TOTAL			

5. Planning Status

From your discussion with local municipal officials what is:

(a) the land use designation of the subject plans in an approved Regional Official Plan or Amendment _____
Amendment number _____

(b) the land use designation of subject lands in an approved local Official Plan or Amendment _____
Amendment number _____

(c) the zoning of subject lands in an approved zoning by-law _____
(specify zoning category) _____

(d) is the proposed use permitted in this zoning category ☐ yes ☐ no

NOTE: If the proposed use of the lands conflicts with an Official Plan designation, this application will not be processed unless an amendment to the Official Plan has been adopted by the municipality and submitted for approval.

OFFICE USE ONLY

Ministry of Municipal Affairs and Housing File No.

Regional File No.

Re-submission of:

Cross reference(s): | Status

Regional Official Plan
approved _____
proposed _____
draft _____
none _____
conformity: yes ☐ no ☐ N/A ☐

Local Official Plan
approved _____
proposed _____
draft _____
none _____
conformity: yes ☐ no ☐ N/A ☐

Zoning By-law
approved _____
draft _____
none _____
council to approve _____
submitted to OMB _____
Minister's order _____
compliance yes ☐ no ☐ N/A ☐

Effective: Aug. 1, 1983

SERVICING

6 Indicate what services are proposed:

(a) Water supply
piped water ☐
individual wells ☐
other (describe) _____

(b) Sewage treatment
sewers ☐
septic tanks and tile beds ☐
preseweer ☐
other (describe) _____

(c) storm drainage
sewers ☐
open ditches ☐
other (describe) _____

7 Piped water

If piped water is proposed:

(a) will the extension or inauguration of a system be required? yes ☐ no ☐

(b) who owns the existing system, if any? _____

(c) is the piped water supply immediately available? yes ☐ no ☐

8 Wells

If wells are proposed, is the site suitable? _____

9 Sanitary sewers

If sanitary sewers are proposed:

(a) will the extension or inauguration of a system be required? yes ☐ no ☐

(b) who owns the existing system, if any? _____

(c) is the piped water supply immediately available? yes ☐ no ☐

10 Septic tanks and tile beds

If septic tanks and tile beds are proposed, is the site suitable? _____

11 Is there direct access from the subject lands to a publicly maintained road yes ☐ no ☐

If no, what provision is there for access to the site? _____

12 If a lakefront development is proposed, without road access,

(a) what type of docking and parking facilities exist on the lake?

(b) what distance are they from the site? _____

SITE APPRAISAL AND EVALUATION

Note: Many of the items referred to in this section should also be shown on the draft plan.

13. **Existing land use**
Briefly describe:
(a) the existing use of the subject lands _____

(b) if the lands are vacant or idle, describe the most recent productive use of the land _____

14. **Vegetation**
What type of vegetation exists on the proposed site (e.g. shrubs, woodlots, orchards)? _____

15. **Topography**
Outline the general topography and any special characteristics that may affect development (e.g. escarpments, rock outcrops, etc.) _____

16. **Drainage**
Describe the drainage of the site and any on-site or nearby water sources (e.g. creeks, ponds, lakes, etc.)

17. **Existing buildings**
Describe any buildings, historical or otherwise, and man-made features on the site, and their proposed use (e.g. whether retained, modified, demolished, etc.) _____

18. **Natural features**
What consideration has been given to preserving the natural amenities of the site (e.g. strong topographical features, pleasant views, mature trees, etc. _____

19. **Describe surrounding land uses** _____

20. **Integration of proposal into surrounding area**

What consideration has been given to ensuring that the proposal will be integrated with the existing character of the surrounding area and that the amenities of the adjoining area (pleasant views, sunlight, etc.) are being preserved or enhanced? _____

21 **Environmental effects**

What measures have been taken to eliminate any adverse environmental effects from the development on the surrounding area (e.g. traffic, noise, odours, pollution of nearby water bodies, run-off, etc.) and to eliminate any adverse effects from the adjacent area on the proposed development (e.g. buffering, berms, setbacks, etc.)? In agricultural areas refer to the Agricultural Code of Practice.

Is this site affected by:

- ☐ odours from farm operations
- ☐ traffic noise from major roads
- ☐ noise from railroads
- ☐ potential slope stability problems
- ☐ poor soil conditions
- ☐ adjacent or in close proximity to major Hydro-Electric Transmission lines
- ☐ adjacent to or in close proximity to active quarry operations

22. **Affidavit**

I, _____ of the _____

in the Regional Municipality of Ottawa-Carleton

solemnly declare that all the above statements contained in the within application are true, and I make this solemn declaration conscientiously believing it to be true, and knowing that it is of the same force and effect as if made under oath, and by virtue of "The Canada Evidence Act"

Declared before me at the _____

_____

in the Regional Municipality of Ottawa-Carleton

this _____ day of _____

_____ _____
A Commissioner etc.

23 **Owner's authorization**

If an agent is used, the owner must also complete the following or a similar authorization on the face of the draft plan.

I, _____ being the registered owner of the subject lands

hereby authorize _____ to prepare and submit a draft plan
(type or print name of agent)

of subdivision for approval.

_____ _____
Signature day month year

NOTE: It is the responsibility of the owner to notify the Regional Planning Department of any change in ownership or agent within 30 days of such change taking effect.

Regional Municipality of Ottawa-Carleton
222 Queen Street
Ottawa Ontario K1P 5Z3

Planning Department

Municipalité Régionale d'Ottawa-Carleton
222 rue Queen
Ottawa Ontario K1P 5Z3

Département de l'Urbanisme

CONDOMINIUM APPLICATION GUIDE

for applying for approval under Section 50 of The Condominium Act

A. APPLYING FOR CONDOMINIUM APPROVAL

The Ontario Ministry of Municipal Affairs and Housing has delegated to the Regional Municipality of Ottawa-Carleton the approval of condominium applications. Application forms are available from the Regional Municipality for the purposes of applying for condominium approval. These application forms are not for use when approaching a local municipality in Ottawa-Carleton with regard to filing an application. The applicant is advised, however, to discuss the proposal with the local municipality for local Official Plan, zoning and policy information before making a formal application to the Regional Municipality.

B. USING THE APPLICATION FORM

1. The attached application form should be typewritten and mailed to:

   Regional Municipality of Ottawa-Carleton
   Attention: Planning Commissioner
   Planning Department
   222 Queen Street, 8th Floor
   Ottawa, Ontario
   K1P 5Z3

   Please ensure that you retain a copy for your file.

2. The application must be completed by the property owner or his authorized agent. Where it is being made by an agent, the written authorization of the owner must accompany the application. For your convenience, an authorization form has been included in the attached application. Alternatively, the owner's authorization may be shown on the face of the draft plan.

3. It is the responsibility of the owner to research and evaluate the site and the proposal to ensure that the development will conform with the interests of the health, safety and welfare of the future residents, either owners or tenants. Sufficient studies for the completion of the application should be carried out prior to a submission for approval, and should be reflected in the application form. This information will assist in quickly and comprehensively assessing the application. If further studies are required, the applicant will be notified. If the form or the draft plans seem incomplete or inaccurate, the application will be returned for completion, correction or clarification prior to any processing.

C. DRAFT PLAN SUBMISSION REQUIREMENTS

1. The Regional Municipality requires that all applications must be accompanied by the following plans drawn to scale, with boundaries certified by an Ontario Land Surveyor:

   (i) 35 paper prints of draft condominium plan;
   (ii) a duplicate clear cronaflex original or material of similar quality; and
   (iii) an "8½ x 14" clear cronaflex reduction of the original draft plan.

2. These plans should include all items as required by Section 50 of The Condominium Act or Section 50 of the Planning Act (listed on the reverse of this Guide).

D. DEALING WITH THE APPLICATION

1. After receiving a fully complete application, the Regional Municipality will confer with officials of municipalities and other ministries, commissions and authorities and with others who may be concerned, to obtain information and recommendations.

2. After an evaluation of the plan and of the recommendations from other bodies, as noted above, the Regional Planning Commissioner will consider the plan and may recommend draft approval subject to conditions.

NOTE: In order to expedite the processing procedure for certain applications, Regional Council has delegated the approval authority to the Regional Planning Commissioner for Condominium Plans. Staff reports dealing with condominium applications are tabled with the Regional Planning Committee on a regular basis. In the event the Regional Planning Department's recommendations or proposed conditions do not satisfy the parties involved, including the applicant, the local municipality or any department or agency with an interest in the application, the application will then be dealt with by the Regional Planning Committee. This Committee in considering the plan will hear representations and may recommend to Regional Council draft approval subject to conditions.

3. If the Regional Planning Commissioner grants draft approval subject to conditions, these conditions must be fulfilled to the satisfaction of the agencies affected prior to final plan approval and registration.

4. Section 50(15) and 50(17) of The Planning Act provide that an application for approval may be referred to the Ontario Municipal Board for a decision.

E. NOTICE OF CHANGE OF OWNERSHIP OR AGENT

If during the time the application is being processed, or at any time prior to Final Registration, the lands which are the subject of this application are sold, or the agent ceases to be the agent for the owner, it is the responsibility of said owner to notify the Regional Planning Department of such changes within 30 days of such change taking effect. Failure to do so may result in the need to file a new application, or lost correspondence on critical procedural matters.

Revised Sept. 1983

RELEVANT SECTION (50) OF THE PLANNING ACT AS IT PERTAINS TO CONDOMINIUM APPROVAL

Section 50

i) Subsection 2. Subject to subsection (3), the provisions of Section 50 of The Planning Act that apply to plans of subdivision shall apply, with necessary modification, to descriptions under this Act, and a description shall not be registered unless approved or exempted by the Regional Municipality.

ii) Subsection 3. Provision is made for an owner or an authorized agent to apply to the Region to have the description or any part of the description of the Condominium application exempted from certain provisions of Section 50 of The Planning Act.[1]

iii) Section 4. Descriptions

Subsection 1. A description shall contain

(a) a plan of survey showing the perimeter of the horizontal surface of the land and the perimeter of the buildings,

(b) structural plans of the building,[1]

(c) a specification of the boundaries of each unit by reference to the buildings,

(d) diagrams showing the shape and dimensions of each unit and the approximate location of each unit in relation to the other units and the buildings,

(e) a certificate of a surveyor that the buildings have been constructed and that the diagrams of the units are substantially accurate and substantially in accordance with the structural plans,[2] and

(f) a description of any interests appurtenant to the land that are included in the property, prepared in accordance with the regulations.

POINTERS ON SUBDIVISION APPROVAL ADAPTED FROM THE PLANNING ACT

Section 50

i) Subsection 2. Information required to be shown on the draft plans.

(a) the boundaries of the land to be subdivided, certified by an Ontario land surveyor,

(b) the locations, widths and names of the proposed highways within the proposed subdivision and of existing highways on which the proposed subdivision abuts,

(c) on a small key plan, on a scale of not less than one centimetre to 100 metres, all of the land adjacent to the proposed subdivision and the relationship of the boundaries of the township lot or other original grant of which such land forms the whole or part,

(d) the purpose for which the lots are to be used,

(e) the existing uses of all adjoining lands,

(f) the approximate dimensions and layout of the proposed lots,

(g) natural and artificial features such as buildings or other structures or installations, railways, highways, watercourses, drainage ditches, swamps and wooded areas within or adjacent to the land proposed to be subdivided,

(h) the availability and nature of domestic water supplies,

(i) the nature and porosity of the soil,

(j) existing contours or elevations as may be required to determine the grade of the highways and the drainage of the land,

(k) the municipal services available or to be available to the land proposed to be subdivided, and

(l) the nature and extent of any restrictive covenants or easements affecting the land proposed to be subdivided.

ii) Subsection 4. It is necessary to take into account the health, safety, convenience and welfare of the present and future inhabitants, when considering a draft plan of subdivision.

iii) Subsection 6. Every municipality may enter into subdivision agreements imposed by the regional municipality as a condition of draft approval.

iv) Subsections 5 and 8. The regional municipality may impose as a condition that a maximum of 5% of the concerned lands be conveyed to the municipality for park purposes (2% of the subject lands be conveyed to the municipality for park purposes if subdivision proposal is for commercial or industrial purposes) or, in lieu of the conveyance, that money to the value of such land be given to the municipality.

NOTES

1 The Region will grant exemptions to structural drawings only.

2 In order to expedite the condominium approval process, applicants are encouraged, upon filing a site plan or rezoning application with the local municipality, to concurrently file a draft plan of condominium application with the Regional Municipality if condominium tenureship is proposed for the development. Should condominium applications be filed with the Region at this time, all "Description" requirements as noted above need not be met until after draft approval and plans are submitted for final approval and subsequent registration.

DO NOT RETURN THIS INSTRUCTION SHEET WITH COMPLETED APPLICATION

CONDOMINIUM APPLICATION FORM
for applying for approval under Section 50 of The Condominium Act
and Section 50 of The Planning Act

1. Local Municipality _____ Proposed Location _____

2. Resubmission of an earlier condominium plan YES ☐ NO ☐ DON'T KNOW ☐

3. Complete the following and check the box next to the person or firm to whom correspondence should be addressed.

	NAME	ADDRESS & PHONE NUMBER
Registered Owner		
Agent, Solicitor or Planning Consultant		
Ontario Land Surveyor		

4. Is this condominium application being filed concurrently with the local municipality on a site plan application?
Yes ☐ No ☐

5. Does this application represent a conversion of an existing building(s) from rental to condominium use?
Yes ☐ No ☐

6. If this building project is under construction, please indicate the following information:
a) Date of Site Plan approval by local municipality (if required) _____
b) Date of issuance of Building Permit _____
c) Extent of construction at time condominium application filed with Region.
_____

7. Is this application within a Registered Plan of Subdivision?
No ☐ Yes ☐ Specify Reg. Plan No. _____
Block or Lot No. _____
Was the plan registered within the last five years
Yes ☐ No ☐

OFFICE USE ONLY

Ministry of Municipal Affairs and Housing
File No.
Regional File No.
Re-submission of:
Cross reference(s): Status:

Regional Official Plan
approved _____
proposed _____
draft _____
none _____
conformity: yes ☐ no ☐ N/A ☐

Local Official Plan
approved _____
proposed _____
draft _____
none _____
conformity: yes ☐ no ☐ N/A ☐

Zoning By-law
approved _____
draft _____
none _____
Council to approve _____
Submitted to OMB _____
Minister's order _____
compliance: yes ☐ no ☐ N/A ☐

Effective: Aug. 1, 1983

PROPOSED LAND USE

8. Complete the following:

Proposed Use	No. of Residential Units	Number of Lots or Letters of Blocks	Acres or Hectares (specify)
A. Single Units			
B. Row & Town Housing — 1 bedroom			
— 2 bedrooms			
— 3 bedrooms			
— other (specify)			
C. Medium Rise Apartments (3 storeys or less) — 1 bedroom			
— 2 bedrooms			
— 3 bedrooms			
— other (specify)			
D. High Rise Apartments (3 storeys or more) — 1 bedroom			
— 2 bedrooms			
— 3 bedrooms			
— other (specify)			
E. Park or Open Space			
F. Commercial (specify)			
G. Institutional (specify)			
H. Other			
TOTAL			

PLANNING STATUS

9. (a) Is the subject land within an approved Official Plan?
Yes ☐ No ☐

(b) If yes:
What is the number of the Official Plan or Amendment _____
What is the land use description _____

(c) Is the subject land covered by an approved zoning by-law or zoning order?
Yes ☐ No ☐

(d) If yes:
What is the number of the By-law _____

SITE APPRAISAL AND EVALUATION

Note: Many of the items referred to in this section should also be shown on the draft plan

10. Existing land use

Briefly describe:
(a) the existing use of the subject lands _____
_____
_____
_____

(b) if the lands are vacant or idle, describe the most recent productive use of the land _____
_____
_____
_____

11. What is the anticipated sale price on each type of condominium unit proposed?

1 bedroom	$ _____
2 bedrooms	_____
3 bedrooms	_____
4 bedrooms	_____
Other (specify)	_____

12. What government housing assistance or subsidy programs (if any) are involved?

_____

_____

_____

13. How many parking spaces (excluding visitor parking) are provided?

_____

14. How many visitor parking spaces are provided?

_____

15. What, if any, will be the arrangements for snow and garbage removal?

_____

_____

16. What is the proposed density of the Condominium Project?

# of units/gross acres

# of persons/gross acres

_____

ACCESS

17. Is there direct access from the subject lands to a publicly maintained road? yes ☐ no ☐

If no, what provision is there for access to the site?

_____

_____

18. Are any internal streets, lanes, driveways designated as:

i) public roads? Identify _____

ii) private roads/lanes? Identify _____

iii) not applicable? _____

_____

SERVICING

19. Indicate what services are proposed: (b) Sewage treatment (c) storm drainage

(a) Water supply
- piped water ☐
- individual wells ☐
- other (describe)

(b) Sewage treatment
- sewers ☐
- septic tanks and tile beds ☐
- preserver ☐
- other (describe)

(c) storm drainage
- sewers ☐
- open ditches ☐
- other (describe)

_____ _____ _____

_____ _____ _____

_____ _____ _____

20. Piped water

If piped water is proposed,

(a) will the extension or inauguration of a system be required? yes ☐ no ☐

(b) who owns the existing system, if any? _____

(c) is the piped water supply immediately available? yes ☐ no ☐

21. Sanitary sewers

If sanitary sewers are proposed:

(a) will the extension or inauguration of a system be required? yes ☐ no ☐

(b) who owns the existing system, if any? _____

(c) is the sanitary sewer system immediately available? yes ☐ no ☐

22. Will the project provide bulk metering ☐ or individual metering ☐ facilities for utility services?

23. Affidavit

I, _____ of the _____

in the Regional Municipality of Ottawa-Carleton

solemnly declare that all the above statements contained in the within application are true, and I make this solemn declaration conscientiously believing it to be true, and knowing that it is of the same force and effect as if made under oath, and by virtue of "The Canada Evidence Act"

Declared before me at the _____

_____

in the Regional Municipality of Ottawa-Carleton

this _____ day of _____

_____ _____

A Commissioner, etc.

24. Owner's authorization

If an agent is used, the owner must also complete the following or a similar authorization on the face of the draft plan

I, _____ being the registered owner of the subject lands

hereby authorize _____ to prepare and submit a draft plan

(type or print name of agent)

of subdivision for approval

_____ _____

Signature day month year

NOTE: It is the responsibility of the owner to notify the Regional Planning Department of any change in ownership or agent within 30 days of such change taking effect

Prepared by:

Plans Administration Division
Regional Planning Department
Regional Municipality of Ottawa-Carleton

January, 1976
Revised: Jan. 1978
Jan. 1984